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AMERICAN CONCENTRATION CAMPS

A Documentary History of the Relocation and Incarceration of Japanese Americans, 1942–1945

IN NINE VOLUMES

Selected and edited by
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University of Cincinnati

GARLAND PUBLISHING

AMERICAN CONCENTRATION CAMPS

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Edited with an introduction by
Roger Daniels

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American Concentration Camps

On August 10, 1988, President Ronald W. Reagan signed into law the Civil Liberties Act of 1988, which probably closed the last legislative chapter of the World War II removal and incarceration of more than 120,000 Japanese Americans, almost all of them residents of the West Coast. Under the terms of that act, each surviving victim—there were then perhaps 60,000 such persons—was entitled to a one-time, tax-free payment of $20,000. This redress, as it has been called, stemmed from the findings of the federal Commission on Wartime Relocation and Internment of Civilians (CWRIC, established 1980) as expressed in its 1983 report, *Personal Justice Denied*, and its subsequent recommendations in June of that year. The CWRIC's basic conclusion is worth quoting:

> The promulgation of Executive Order 9066 was not justified by military necessity, and the decisions which followed from it—detention, ending detention and ending exclusion—were not driven by analysis of military conditions. The broad historical causes which shaped these decisions were race prejudice, war hysteria, and a failure of political leadership. Widespread ignorance of Japanese Americans contributed to a policy conceived in haste and executed in an atmosphere of fear and anger at Japan. A grave injustice was done to American citizens and resident aliens of Japanese ancestry who, without individual review or any probative evidence against them, were excluded, removed and detained by the United States during World War II. (*Personal Justice Denied*, p. 18.)

The documents printed here trace and explicate not only the decision to submit a whole people to internal exile but also delineate the execution and modification of that policy during the course of the war. The documents are drawn largely from the archives of the government department chiefly responsible, the War Department, and from the archives of the United States Army. Eventually many other agencies of the executive branch were accessories after the fact and the Congress was intimately involved as well. (So was the Supreme Court of the United States, but its decisions are not directly treated here.)

In addition, as these documents make clear, the incarceration of the Japanese Americans enjoyed widespread public support. During the war there were more complaints that the government was being too soft on "Japs" than there were complaints about the very real harshness of their treatment.

In signing the 1988 act President Reagan refused to make any judgments about the past: ". . . it's not for us today to pass judgment upon those who may have made mistakes while engaged in that great struggle." ("Remarks by the President at the Signing Ceremony for Japanese Internment Legislation," Office of the Press Secretary, The White House, August 10, 1988.) One of his recent predecessors was willing to make those kinds of judgments. "We know now what we should have known then," said President Gerald R. Ford in a 1976 proclamation, "not only was that evacuation wrong, but Japanese-Americans were and are loyal Americans." (Proclamation 4417, "An American Promise," February 19, 1976, *Federal Register*, Vol. 41, No. 35—Feb. 20, 1976.)

The views of both chief executives merely echoed what scholars had been saying for some time. Just before the war ended Eugene V. Rostow, in a brilliant article in *Harper's*, had dubbed the relocation "our worst wartime mistake." Nearly twenty years later, the late Stetson Conn, a civilian who was the Army's chief military historian, published, in an official history, a detailed account of the Army's role in the evacuation. He demonstrated that the decision was not dictated by "stern military necessity" as the Army and its defenders had claimed. As striking as Conn's conclusions were, he had been inhibited if not absolutely prevented from publishing some of the evidence. He generously allowed me to use his notes and files and even checked my notes to make sure that I found several items that he had not used and which we today might call "smoking guns." My own findings have been published in several books and a number of articles.

I argued in 1972 that

> the general tendency of educated Americans, including historians, to write off the evacuation as a "wartime mistake" is to obscure its true significance. Rather than a mistake—which, according to the dictionary, is "an error in action, calculation, opinion or judgment caused by poor reasoning, carelessness, insufficient information . . . a misunderstanding or misconception"—the legal atrocity which was committed against the Japanese Americans was the logical outgrowth of over three centuries of American experience, an experience which taught Americans to regard the United States as a white man's country in which nonwhites "had no rights which the white man was bound to respect." These infamous words, from Chief Justice Roger B. Taney's 1857 decision in *Dred Scott v. Sanford*, were merely echoed by the United States Supreme Court during World War II. (*Concentration Camps, USA,* p. xiv.)

The documents presented in these volumes are selected from literally tens of thousands of sheets of paper which document the government's role. As noted, the point of view from which the documents are presented is chiefly that of the Army and its civilian masters in the War Department. Most of the non-Army/War Department archival documents printed here were either sent there or sent elsewhere in response to their actions. An equally large group of documents could be presented from the archival remains of the War Relocation Authority, the custodial agency set up to warehouse the Japanese American people. The documents presented here are not just "decision papers" but rather have been structured not only to tell a story but also to try to show the kinds of complex matrices from which governmental decisions flow. We Americans habitually speak of government as if it were singular and monolithic—and nothing is more monolithic than the resentful "they" or "them" that one hears so often. Yet, as I believe these documents demonstrate clearly, there were constant differences of opinion within the government—and often within the War Department itself. These differences grew as the war went on and the decisions of early 1942 looked more and more like a "mistake" to growing numbers of officials.

Many historians complain that the advent of the telephone has made it more difficult to trace decision making and the information flow upon which it is based. The War Department, however, recorded large numbers of telephone conversations. These were not surreptitious wire taps, but actual recordings made on wax cylinders and made with the knowledge of the caller and the called. (At least this was the case among the Army officials involved: it is not clear whether outsiders—Justice Department officials or scholars, such as Morton Grodzins—knew that they were being recorded.) The wax cylinders were transcribed by typists, often the same

day. Transcriptions of important conversations were sometimes circulated rather widely within the War Department and within regional commands, such as General John L. De Witt's Western Defense Command. These transcripts enable us, I believe, to understand the day to day and sometimes hour to hour decision-making process as if we were the proverbial "fly on the wall" taking it all in.

None of the documents printed has been altered or edited in any way. Except for the telephone conversation of February 4, 1942, between Generals Mark W. Clark and Allen W. Gullion, which is printed in Volume II, all are photocopies of original documents or carbons of those documents.

They have been selected and arranged with the research student in mind. There are not only key documents showing how important decisions were made, but also documents showing how conflicting and contrary lines of action were being followed at the same time. Some documents feature major historical figures: President Franklin D. Roosevelt, Secretary of War Henry L. Stimson and Secretary of the Navy Frank Knox, General George C. Marshall, and Admiral Ernest J. King. More often they feature key subordinates: Assistant Secretary of War John J. McCloy, Generals De Witt and Gullion, and on down to the middle and lower level bureaucrats who served them, such as Colonel Karl R. Bendetsen. In addition, a number of unsolicited letters and telegrams from the private sector have been included along with some congressional debate and hearings and attempts of government agencies to evaluate public opinion.

The basic arrangement of the documents is chronological, although a number of separate matters are treated topically. The chief of these latter are: the reports of the Anti-Axis Committee of the Los Angeles Japanese American Citizens League (Volume II); letters showing changing relationships between JACL officials and federal officials (Volume IV); a dossier compiled on General De Witt (Volume VII); The War Department and the Japanese Evacuation and Resettlement Study (Volume VIII); the Japanese of Hawaii (Volume VIII); and Raising Japanese AmericanTroops (Volume IX).

Since the point of view is chiefly that of the War Department/Army, sequential correspondence from outside that nexus is usually printed as it was received. Thus a March 28, 1942, telegram from University of California Provost Monroe E. Deutsch to Justice Felix Frankfurter will be found, not under that date, but immediately after the letter of March 30, 1942, from Frankfurter to Assistant Secretary McCloy to which it was an enclosure.Similarly, the letters of April 1, 1942, and April 2, 1942—McCloy to Frankfurter and Frankfurter to McCloy—which refer to that telegram will be found immediately after it with the March documents (Volume III) even though most documents written in April 1942 are in Volume IV.

The archival documents are drawn from the following sources:

National Archives, Washington, D. C.

Record Group 16	Records of the Office of the Secretary of Agriculture
Record Group 107	Records of the Office of the Secretary of War (includes records of Asst. Secretary)
Record Group 338	Records of United States Army Commands, 1942–
Record Group 389	Records of the Office of Provost marshal general, 1941–
Record Group 394	Records of United States Army Continental Commands, 1920–1942
Record Group 407	Records of the Adjutant General's Office, 1917–

Federal Records Center, Suitland, Md.
Record Group 44 Records of the Office of Government Reports

Franklin D. Roosevelt Presidential Library, Hyde Park, N.Y.
The Papers of Franklin D. Roosevelt

Harry S. Truman Presidential Library, Independence, Mo.
The Papers of Tom C. Clark

Henry E. Huntington Library, San Marino, Calif.
The Papers of John Anson Ford (Reports of the Anti-Axis Committee, Los Angeles Japanese American Citizens League)
Bancroft Library, Berkeley, Calif.
The Papers of Hiram W. Johnson, III
The Papers of Culbert L. Olson

Roger Daniels
Cincinnati
September, 1988

Contents

Volume I: July 1940–December 31, 1941

Archival Documents, pre-Pearl Harbor.

These materials deal largely with discussions between the War and Justice Departments over responsibilities for enemy aliens in case of war and with internal Army documents about construction of accommodations for enemy aliens and interned merchant seamen. There is also the famous "Munson Report" of November 1941, dealing with alleged loyalty and disloyalty of Japanese Americans.

Official Proclamations and Other Public Documents, December 7, 1941–April 20, 1942, as printed by the Tolan Committee.

These public documents show the ways in which the lives of enemy aliens in general and of Japanese Americans in particular were affected, and how, over time, most of the options of the latter disappeared.

Archival Documents, December 7, 1941–December 31, 1941.

These demonstrate the growing conflicts between the War Department and the Department of Justice and show the rising concern about internal security in both the government and the nation at large.

Volume II: January 1, 1942–February 19, 1942

Archival documents, January 1, 1942–February 19, 1942.

This sequence shows chiefly how the decision to relocate the West Coast Japanese evolved from conflicting views both outside and inside the executive branch. The terminal date is that of Executive Order 9066, printed in Volume I.

Reports of the Anti-Axis Committee, Los Angeles Japanese American Citizens League (JACL).

These documents, found in the John Anson Ford Mss., Henry E. Huntington Library, show the stresses and strains placed on loyal Japanese American citizens, some of whom were persuaded that there were "enemies" among them.

Volume III: February 20, 1942–March 31, 1942

Archival Documents, February 20, 1942–March 19, 1942.

The basic decision having been made and authority delegated to General De Witt and his staff, the problems of how to remove more than 100,000 human beings proved to be more complicated than many officials expected.

Congressional Record, March 19, 1942 (selected pages).

The few pages printed here contain the entire congressional debate over the statute which made it a federal crime for a civilian in an area that was not under martial law to fail to obey the instructions of a commanding general and his deputies. Note the sarcastic remarks of Senator Robert A. Taft (R-Oh.) at *CR*, p. 2726.

Tolan Committee, *Preliminary Report and Recommendations*, March 19, 1942.

This report, although it did *not* make policy, was important because it endorsed what the military wanted to do and was doing. Had it been otherwise, congressional approval might not have been so routine.

Archival Documents, March 20, 1942–March 31, 1942.

These documents show the policy of forced removal being put into effect; in this period the first of General De Witt's Civilian Exclusion Orders (printed in Volume I) was issued, affecting the Bainbridge Islanders of Puget Sound, and the first Relocation Center was opened at Manzanar, California.

Volume IV: April 1942

Archival Documents, April 1942.

In this sequence of documents the growing opposition of western officials outside of the West Coast to having Japanese Americans moved to their localities is manifested. Particularly noteworthy are reports of meetings in Salt Lake City between army officials, Milton S. Eisenhower of the newly-formed War Relocation Authority, western state officials, and representatives of large agricultural interests taken from the Records of the Secretary of Agriculture.

Federal Government Surveys of Public Opinion, January 1942–August 1942.

These thoroughly unscientific attempts to gauge public opinion, done by the federal Office of Government Reports, a forerunner of the Office of War Information, were circulated among high government officials.

The Japanese American Citizens League and the Federal Government, March 1942-November 1944.

Relationships between the oppressed and their oppressors tend to be complex,especially when there are reasons for the oppressed —or some of them—to believe that "appropriate behavior will ameliorate conditions and/or shorten the term of oppression. The leadership of the Japanese American Citizens League, as the correspondence here shows, perceived that the political heads of the U. S. Army, Secretary of War Henry L. Stimson and particularly Assistant Secretary John J. McCloy and his uniformed staff, were likely targets of a "how to win friends and influence people" approach which even included small gifts. Perceptively, no such approach was made to General John L. DeWitt, Colonel Karl R. Bendetsen, or their subordnates. In recent years there has been increasing criticism of what some have termed the "over-enthusiastic collaboration" between the JACL and the Army. At the recent (August 1988) biennial JACL convention in Seattle a motion, on which action was deferred, asking that the JACL admit and apologize for its wartime "errors" caused great consternation.

Volume V: May 1942

Archival Documents, May 1942.

These documents show the Army making California and the other West Coast areas "free" of Japanese, as first the Assembly Centers and then the Relocation Centers began to fill up.

Tolan Committee, *Fourth Interim Report*, May 1942.

This report demonstrates, perhaps better than any other single document, the degree of support that existed for governmental policies affecting the Japanese Americans and shows that many felt that the government was not doing enough to keep the West Coast safe.

Volume VI: June 1942–December 1942

Archival Documents, June 1942.

These documents show the first major modifications of relocation policies and depict the resistance by Western Defense Command to any amelioration of the condition of the Japanese Americans.

Congressional Record, June 22, 1942 (selected pages).

This brief Senate debate of a bill to authorize the incarceration of any person of Japanese ancestry anywhere in the United States or its territories is but one more example of the willingness of some members of Congress to go farther than the executive branch was willing to go.

Archival Documents, July 1942.

These documents show, among other things, the increasing uneasiness of officials in the interior western states to which Japanese Americans were being shipped. An important policy document is the joint memorandum to President Roosevelt from General Marshall and Admiral King, July 15, 1942.

Reports of Civilian Agencies to the Wartime Civil Control Administration, June 1942.

These largely self-congratulatory reports are by agencies that assisted the Army in the process of getting the Japanese Americans into camp "humanely."

Army Inspections of Assembly Centers, July 1942.

A collection of documents demonstrating that, even by its own standards, the living and sanitary conditions that prevailed in the Army-run Assembly Centers were often deficient.

Archival Documents, August 1942–December 1942.

These documents are largely concerned with attempts to justify the relocation and include some materials illustrating how the mendacious *Final Report: Japanese Evacuation from the West Coast* was assembled.

Digest of Newspaper Editorials by Western Defense Command, January 31, 1942–December 9, 1942.

A carefully selected group. All are supportive of Western Defense Command policies and some press for even more stringent measures against the Japanese Americans.

Volume VII: 1943

Archival Documents, 1943.

These documents depict the continuing resistance of General De Witt and his subordi-

nates to the "liberalization" of policies toward Japanese Americans—including military service and loyalty "testing," which are covered more fully in Volume IX—and the distinct change of tone that occurred when General Delos C. Emmons succeeded De Witt as head of Western Defense Command. This section also contains the White House response to congressional criticism of the "too liberal" relocation program.

Hearings on *War Relocation Centers* (Chandler Subcommittee of the United States Senate Committee on Military Affairs), Parts I and II, January 20, 27, 28, and February 11, 1943.

These hearings demonstrate the congressional opposition to the "liberalized" relocation program. In them Dillon S. Myer, Director of the War Relocation Authority, responds to that criticism. (Parts III and IV, which deal with Arizona and Tule Lake, are not reproduced here.)

Dossier on General John L. De Witt, August 22, 1942–April 29, 1943.

In September 1943, General Delos C. Emmons succeeded General John L. De Witt, who became Commandant of the Army War College. The War Department denied that General De Witt was being punished. This dossier, found in the files of the Adjutant General, was assembled sometime in 1943, and could have been the basis for an official reprimand—or worse—as it shows General De Witt in deliberate and insubordinate resistance to War Department policies. No documents explaining who ordered the dossier compiled or for what purpose have been discovered.

Volume VIII: 1944 and 1945; Japanese of Hawaii

Archival Documents, 1944 and 1945.

These documents depict, in part, the winding down of the relocation program.

Congressional Record, February 23, 1944, and June 23, 1944 (selected pages).

These brief debates resulted in the passage of a statute, requested by the Department of Justice, to facilitate the renunciation of United States citizenship by Japanese Americans as part of the "segregation" program.

Army and Navy Intelligence Reports, 1944–1945.

The reports show that west-coast-based intelligence officers continued to harbor the same kinds of attitudes toward Japanese Americans that triggered the relocation long after such views ceased to prevail at the top of the chain of command.

The War Department and the Japanese Evacuation and Resettlement Study, October 1942–October 1943.

These documents illustrate the possible ethical conflicts involved when scholars bargain for special access to contemporary government documents.

Japanese of Hawaii, August 1941–May 1944.

These documents demonstrate how differently the 150,000 Japanese Americans in Hawaii were treated during the war despite their greater incidence and proximity to Imperial Japanese Forces.

Volume IX: Raising Japanese American Troops, June 1942–November 1945

Archival Documents, June 1942–November, 1945.

This collection of documents shows how, almost from the beginning of the relocation program, some within the military and government establishments were considering the use of Japanese American manpower and special skills. This began with the recruitment of linguists from the camps for the Military Intelligence Specialist School, continued with the formation of the 100th Battalion and the 442nd Regimental Combat Team, and ended with the reapplication of "normal" selective service procedures to eligible Japanese Americans both inside and outside the relocation centers. The use of this manpower, as De Witt and his key subordinates correctly noted, called into question the validity of the assumptions on which the whole relocation program had been based.

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1. Archival documents, pre-Pearl Harbor.

2. Official proclamations and other public documents, December 7,1941–April 20, 1942, as printed by the Tolan Committee.

3. Archival documents, December 7, 1941–December 31, 1941.

Archival documents
pre-Pearl Harbor

Archival documents
Pre-Pearl Harbor

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WAR DEPARTMENT
The Adjutant General's Office
Washington

AG 383.4 (7-5-40)M-B-M

July 8, 1940.

SUBJECT: Delineation of investigative duties of the Federal Bureau of Investigation, Office of Naval Intelligence, and Military Intelligence Division.

TO: All Corps Area and Department Commanders.

I. The following agreement is approved:

1. It is agreed that in conformity with the directive contained in the President's memorandum of June 26, 1939, as augmented by his directive of September 6, 1939, responsibility for investigation of all espionage, counter-espionage, sabotage and subversive activities will be delimited as indicated hereafter. Responsibility assumed by one organization in a given field carries with it the obligation to provide a pool of all information received in that field but it does not imply the responsible agency alone is interested in or will work alone in that field. Close cooperation between the three agencies in all fields is a mutually recognized necessity.

2. FBI will assume responsibility for all investigations of cases in these categories involving civilians in the United States and in its territories with the exception of the Panama Canal Zone, Guam, Samoa, and the Philippine Islands.

FBI will keep MID and ONI informed of important developments such as -

a. Developments affecting plants engaged on Army or Navy contracts.

b. Developments affecting vital utilities.

c. Developments affecting critical points of transportation or communication systems.

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d. Cases of actual or strongly presumptive espionage or sabotage, including the names of individuals definitely known to be connected with subversive activities.

FBI will act as the coordinating head of all civilian organizations furnishing information relating to subversive movements.

3. FBI will assume responsibility for investigation of all cases in these categories directed from foreign countries on those occasions and in those situations in which the State, War or Navy Departments specifically request investigation of a designated group or set of circumstances.

FBI to keep MID and ONI informed of important developments.

4. MID will assume responsibility for investigation and disposal of all cases in these categories in the Military Establishment, including civilians employed on military reservations or under military control. It will also assume responsibility for the investigation of cases in these categories involving civilians in the Canal Zone, the Republic of Panama and the Philippine Islands.

MID will inform FBI and ONI of important developments.

5. ONI will assume responsibility for investigation and disposal of all cases in these categories in the Naval Establishment, including civilians under naval employ or control and all civilians in Guam and American Samoa.

ONI to inform FBI and MID of important developments.

6. FBI will assume responsibility for ascertaining the location, leadership, strength and organization of all civilian groups designed to combat "Fifth Column" activities (overt acts of all sorts in cooperation with the armed forces of an enemy). FBI will transmit to MID, ONI and the State Department information concerning these organizations and any information received concerning their possession of arms.

II. 1. The responsibility assumed in paragraph 4 of the above agreement is decentralized to Corps Area and Department Commanders in accordance with the principles laid down in paragraph 11, MR 2-1.

In the Panama Canal and Philippine Departments, the first sentence of paragraph 11 c, MR 2-1 UNCLASSIFIED no longer apply.

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2. The close cooperation enjoined in the above agreement between the three investigating agencies implies also mutual assistance. But the FBI and ONI should not be called upon for assistance except in those cases which appear to be important and which Army investigative agencies cannot handle.

By order of the Secretary of War:

E. A. Adams

Major General,
The Adjutant General.

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Excerpt of Memorandum from J. Edgar Hoover to L. C. M. Smith

My attention has been directed to the fact that the Office of Naval Intelligence has accepted the responsibility for investigations of espionage, sabotage and national defense matters on the Alaska Peninsula, which is separated by a line drawn from Iliamna Bay northwest to the town of Old Iliamna, thence following the south shore of Lake Iliamna to the Kvichak River and following the south bank of the Kvichak River to Kvichak Bay. Included within the jurisdiction of the Office of Naval Intelligence are the Kodiak Island, Pribilof Islands and the Aleutian Islands.

Not only does the territory identified above encompass great distances but such territory is accessible only by means of air or water transportation facilities.

Inasmuch as the Office of Naval Intelligence has jurisdiction of national defense investigations in the questioned territory, the Federal Bureau of Investigation is not compiling any data relating to national defense on individuals residing in that territory for consideration by the Department either from the standpoint of prosecution or possible internment and any information furnished this Bureau by the Office of Naval Intelligence concerning individuals in that territory is not verified.

It is suggested that consideration be given as to the agency which will be charged with the responsibility of obtaining information and compiling data on individuals in the above described territory who may be considered dangerous to the internal security in the event of war and for the apprehension of such individuals designated by the Department.

Encl 1

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WAR DEPARTMENT
WAR DEPARTMENT GENERAL STAFF
PERSONNEL DIVISION, G-1
WASHINGTON, D.C.

G-1/15182-3

G-1
JED

July 19, 1940.

MEMORANDUM FOR THE CHIEF OF STAFF:

Subject: Internment of Alien Enemies.

I. The problem presented.

The necessity for a formal arrangement between the Attorney General and the Secretary of War on the subject of internment of alien enemies.

II. Facts bearing upon the problem.

1. The Director of the Federal Bureau of Investigation has indicated in discussions held with representatives of the Intelligence Division that he estimates under certain conditions a minimum of 18,500 persons will be subject to internment in time of war. He has suggested the geographic distribution of some 22 internment camps. The Assistant Chief of Staff G-2 states that he believes the Federal Bureau of Investigation was influenced in its recommendations for the location of camps by three things:

a. Economy in the number of guards necessary for transportation of alien enemies from points of arrest to detention camps (presumably Federal Bureau of Investigation guards).

b. The necessity in many cases of transporting alien enemies from detention camps to judicial districts to attend hearings.

c. The location of Federal Bureau of Investigation offices and judicial districts.

2. It is apparent from the above that the Director of the Federal Bureau of Investigation is expecting a great deal more from the War Department in the matter of custody of alien enemies than the Department has either agreed to or is prepared to do.

3. In 1931, a War Department committee appointed to confer with representatives of the Attorney General on the matter of custody

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of alien enemies recommended:

> "That all future plans for major emergencies provide for the internment of such alien enemies as may be turned over by the Department of Justice."

This recommendation was approved by the Chief of Staff on March 11, 1931. (G-3/6541-Gen. - 346 - dated March 2, 1931) and has formed the basis for planning since that time. This recommendation was made upon the representations of the Department of Justice that:

a. It had no quick method of expanding to meet emergencies.

b. Alien enemies should be treated as prisoners of war rather than as criminals.

c. The precedent established during the World War should be followed.

4. The procedure followed during the World War was as follows; Alien enemies were first taken into custody on the order of the Attorney General and consigned to places of detention pending investigation and review of their cases. If the Attorney General ordered actual internment, the persons in custody were transported by United States Marshals and turned by them to the custody of the military authorities either at Fort Oglethorpe, Georgia, or Fort Douglas, Utah, the only two internment camps maintained by the Army. Over 6,300 persons were arrested, but the Army was concerned only with 2,300 actually ordered interned.

5. Sections 3 and 4 MR 1-11 contain the general policies and instructions of the War Department relative to the custody of prisoners of war including alien enemies. This regulation was based on the precedent of the World War and the conference held in 1931 between representatives of the War Department and the Department of Justice. A draft of that regulation was informally reviewed by a member of the Attorney General's office and except for minor points was concurred in. The premise upon which that regulation is based is that the War Department will furnish custody for alien enemies actually ordered interned because they are essentially prisoners of war. The War Department is not prepared to furnish custody for alien

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enemies held for investigation or for American civilians suspected or convicted of offenses even though those offenses deal with sabotage, espionage or other subversive acts. To extend the use of military forces beyond the custody of alien enemies actually ordered interned would be an unjustified use of personnel and facilities trained and provided for the conduct of military operations.

6. Because of the present international situation and the apparently differing viewpoints of the Federal Bureau of Investigation and the War Department, the Personnel Division believes that a conference between representatives of the Secretary of War and of the Attorney General should be held to reach a definite formal agreement as to responsibilities of each in the matter of custody of alien enemies in time of war. The Assistant Chief of Staff G-1 is charged with preparation of plans for custody of alien enemies. However, the question of shelter and adequacy of military personnel play such an important part in this problem that representatives of G-3 and G-4 should be included in the conference.

III. Action recommended.

1. That the Secretary of War sign and dispatch the attached letter to the Attorney General.

2. That a committee to represent the War Department in conferences with the representatives of the Attorney General be appointed. This committee to consist of one representative each from G-1, G-3, and G-4.

3. That this committee be guided by the following general policy in its deliberation:

> "The War Department will be prepared to provide for the custody of alien enemies actually ordered interned in time of war. It is not prepared to provide custody for those persons held for investigation prior to internment nor to furnish guards or transportation for alien enemies during their movement to and from internment camps."

IV. Concurrences.

Assistant Chief of Staff, G-2 ( )
Assistant Chief of Staff, G-3 ( )
Assistant Chief of Staff, G-4 ( ) See Memo

For action G-1 8/15/40 Memo

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Incl.
Ltr. to Attorney Gen. for sig. of S/W

W. E. SHEDD,
Brigadier General,
Assistant Chief of Staff.

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IN

WAR DEPARTMENT

IN

G-1/15182-3 COPY G-1
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The Honorable,

The Attorney General.

Dear Mr. Attorney General:

Based on the precedent of the World War and on conferences held in 1931 with representatives of your office, War Department plans for emergencies provide for the custody of such alien enemies as may be ordered interned.

The relationship of the Department of Justice and of the War Department in this matter in event of emergency will have to be carefully coordinated. Questions as to division of responsibility and estimates as to numbers of persons who might be interned should be discussed so that the specific plans of each department will be in agreement.

I suggest, therefore, that one or more representatives of your department be designated to confer with several members of the War Department General Staff on the general matter of alien enemies in time of war. If this plan be agreeable, the War Department representatives will be pleased to meet those appointed by you at such time and place as you may designate.

Sincerely,

Secretary of War.

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WAR DEPARTMENT
WAR DEPARTMENT GENERAL STAFF
PERSONNEL DIVISION, G-1
WASHINGTON, D. C.

G-1/15182-3

G-1

CONFIDENTIAL

July 19, 1940.

BRIEF of attached memorandum, G-1/15182-3:

Subject: Interrment of Alien Enemies.

1. The Federal Bureau of Investigation estimates that as high as 18,500 persons might have to be interned in event of emergency and suggests the location of 22 internment camps which it presumably expects the War Department to furnish.

2. War Department plans, predicated on the World War precedent and from a conference held with representatives of the Attorney General in 1931, provide that the War Department shall be responsible only for custody of alien enemies actually ordered interned. It is not prepared to furnish custody for any other civilians or for any such number of persons as indicated above.

3. To insure coordination, a definite formal agreement should be reached between the Secretary of War and the Attorney General as to the responsibilities of each in the matter of custody of alien enemies.

Action recommended.

1. That the Secretary of War sign and dispatch the attached letter to the Attorney General.

2. That a committee to represent the War Department in conferences with the representatives of the Attorney General be appointed. This committee to consist of one representative each from G-1, G-3, and G-4.

3. That this committee be guided by the following general policy in its deliberation:

"The War Department will be prepared to provide for the custody of alien enemies actually ordered interned in time of war. It is not prepared to provide custody for those persons held for investigation prior to interrment nor to furnish guards or transportation for alien enemies during their movement to and from interrment camps."

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Wm. E. SHEDD,
Brigadier General,
Assistant Chief of Staff

rml
Incl.
M. G-1/15182-3 (7-19-40)

G-2
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WAR DEPARTMENT
WAR DEPARTMENT GENERAL STAFF
MILITARY INTELLIGENCE DIVISION G-2
WASHINGTON

July 24, 1940.

MEMORANDUM for the Assistant Chief of Staff, G-1:

Subject: Internment of Enemy Aliens.

1. Reference your memorandum G-1/15182-3, July 19th, herewith.

2. This Division concurs in the necessity for a conference between the War and Justice Departments on this subject.

3. It is believed, however, that the subject memorandum does not contemplate sufficiently the importance of military control to counter "Fifth Column" activities. These activities have been so successful in the European War and are so closely integrated with the operations of the armed and uniformed forces of the enemy as to force recognition of an internal as well as an external military front. This means that the Military will actually have to control, through their Provost Marshal Generals, local forces, largely police and constabularies, in operations against the "Fifth Column". In this work, the Military would certainly have to provide for the arrest and temporary holding of a large number of suspects.

4. It is, therefore, believed that the sentence at the bottom of page 2 of the subject memorandum, beginning "The War Department is not prepared x x x", and the following sentence, should be re-drafted in the light of present day necessities. It is also believed that the guiding principle for the War Department Committee, proposed in paragraph III 3, should not contain any such definite statement as - "It is not prepared to provide custody for those persons held for investigation prior to internment".

5. This Division also recommends that a representative of G-2 be included in the War Department Committee proposed.

Sherman Miles.
Brigadier General, U.S.Army,
Acting Assistant Chief of Staff, G-2.

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G-1/15182-3

WAR DEPARTMENT
WAR DEPARTMENT GENERAL STAFF
PERSONNEL DIVISION, G-1
WASHINGTON, D. C.

G-1
JED

August 1, 1940.

LIAISON MEMORANDUM FOR THE JUDGE ADVOCATE GENERAL:

Subject: Internment of Alien Enemies.

1. Attached hereto is a copy of G-1 memorandum 18182-3, dated July 19, 1940, and a memorandum from the Assistant Chief of Staff, G-2, dated July 24, 1940, both on the above subject.

2. Attention is invited particularly to the last two sentences of paragraph three of the G-2 memorandum.

3. Your views are desired upon the following two questions involved in the above mentioned paragraph as follows:

a. In the zone of the interior, as differentiated from the theatre of operations under military control, to what extent can the Military legally, actually control through Provost Marshal Generals, local forces, police or constabulary, any operations against "Fifth Columnists?"

b. Can the Military in the zone of the interior participate in the arrest and temporary holding of civilians who are not alien enemies but citizens of the United States?

Wm. E. SHEDD,
Brigadier General,
Assistant Chief of Staff.

rl
Incls.
CC G-1 memo. 18182-3.
G-2 memo. 7-24-40.

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WAR DEPARTMENT
WAR DEPARTMENT GENERAL STAFF
OPERATIONS AND TRAINING DIVISION G-3
WASHINGTON

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August 1, 1940.

MEMORANDUM FOR THE ASSISTANT CHIEF OF STAFF, G-1:

Subject: Internment of Alien Enemies.

1. This Division concurs in the necessity for a conference between the War Department and the Department of Justice on this subject and believes that the G-2 Division should be represented thereat.

2. The G-3 Division agrees with G-1 that it is a responsibility of the War Department to provide for the custody in time of war of alien enemies who have been duly investigated, ordered committed by the Attorney General and delivered to internment camps. Unless specifically required by law, a matter which should be determined by the Judge Advocate General, the War Department should assume no obligation to provide detention for suspects held for investigation. As a matter of cooperation between government agencies the provisions of paragraph 11 b, MR 1-11 should be resorted to when it can be done without detriment to the military.

3. Action, apart from this study, should be instituted to determine the responsibility of the War Department, if any, for the apprehension and/or detention of subversive elements, "Fifth Columnist", and the like, differentiated from aliens, in the Zone of Interior and other areas not subject to martial rule.

W. M. Grimes

W. M. GRIMES,
Lt. Col., General Staff,
Acting Assistant Chief of Staff.

Enclosures
G-1/15182-3, July
19, 1940.

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WAR DEPARTMENT
WAR DEPARTMENT GENERAL STAFF
SUPPLY DIVISION, G-4
WASHINGTON, D.C.

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G-4/31895

August 6, 1940.

MEMORANDUM FOR THE ASSISTANT CHIEF OF STAFF, G-1:

Subject: Internment of Enemy Aliens (G-1/15182-3, 7-19-40).

1. The G-4 Division believes that:

a. The War Department Committee should include a representative of the G-2 Division.

b. Prior to transmittal of the basic study for the Chief of Staff, The Judge Advocate General should be called upon for an opinion as to the responsibility of the War Department for providing custody of persons undergoing investigation as alien enemies or "Fifth Columnists".

Vincent Meyer

VINCENT MEYER,
Lt. Colonel, General Staff,
Acting Assistant Chief of Staff.

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Incls.
Dis. Slip fr. G-1, 7/19/40.
Memo. for ACS, G-1, fr. G-3, 8/1/40.
Memo. for ACS, G-1, fr. G-2, 7/24/40.
Memo. for CS, 7/19/40, fr. ACS, G-1, w. 1 incl. (cpy.ltr. to Atty. Gen.).

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WAR DEPARTMENT
OFFICE OF THE JUDGE ADVOCATE GENERAL
WASHINGTON

AUG 12 1940

Military Affairs
JAG 383.01

MEMORANDUM for the Assistant Chief of Staff, G-1 (Liaison).

Subject: Internment of alien enemies.

1. By liaison memorandum dated August 1, 1940 (G-1/15182-3), my opinion was requested on the following questions:

"a. In the zone of the interior, as differentiated from the theatre of operations under military control, to what extent can the Military legally, actually control through Provost Marshal Generals, local forces, police or constabulary, any operations against 'Fifth Columnists'?

"b. Can the Military in the zone of the interior participate in the arrest and temporary holding of civilians who are not alien enemies but citizens of the United States?"

2. In a memorandum for the Chief of Staff (G-1/15182-3), dated July 19, 1940 (copy incl), the Assistant Chief of Staff, G-1, outlined a method of handling enemy aliens based on World War experience and recommended that a committee to represent the War Department be appointed to confer with representatives of the Department of Justice, such committee to be guided by the following general policy:

"The War Department will be prepared to provide for the custody of alien enemies actually ordered interned in time of war. It is not prepared to provide custody for those persons held for investigation prior to internment nor to furnish guards or transportation for alien enemies during their movement to and from internment camps."

In his memorandum for the Assistant Chief of Staff, G-1, dated July 24, 1940, the Assistant Chief of Staff, G-2, stated, among other things:

"3. It is believed, however, that the subject memorandum does not contemplate sufficiently the importance of military control to counter 'Fifth Column' activities. These activities have been so successful in the European War and are so closely integrated with the operations of the armed and uniformed forces of the enemy as to force recognition of an internal as well as an external military front. This means that the Military will actually have to control, through their Provost Marshal Generals,

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local forces, largely police and constabularies, in operations against the 'Fifth Column'. In this work, the Military would certainly have to provide for the arrest and temporary holding of a large number of suspects."

3. For convenience of treatment the problem will be broken down into its various elements and each treated separately, so far as possible. The zone of the interior, for the purposes of this discussion, will be deemed to comprise the areas where civil courts are still functioning normally. Since question b relates specifically to citizens of the United States, the term "Fifth Columnists" will be construed to include only aliens. Aliens are further to be classified as alien enemies and alien friends.

4. The following sections of the Revised Statutes of the United States apply to alien enemies:

"Sec. 4067 [50 U.S.C. 21]. Whenever there is a declared war between the United States and any foreign nation or government, or any invasion or predatory incursion is perpetrated, attempted, or threatened against the territory of the United States, by any foreign nation or government, and the President makes public proclamation of the event, all natives, citizens, denizens, or subjects of the hostile nation or government, being males of the age of fourteen years and upwards, who shall be within the United States, and not actually naturalized, shall be liable to be apprehended, restrained, secured, and removed, as alien enemies. The President is authorized, in any such event, by his proclamation thereof, or other public act, to direct the conduct to be observed, on the part of the United States, toward the aliens who become so liable; the manner and degree of the restraint to which they shall be subject, and in what cases, and upon what security their residence shall be permitted, and to provide for the removal of those who, not being permitted to reside within the United States, refuse or neglect to depart therefrom; and to establish any other regulations which are found necessary in the premises and for the public safety."

"Sec. 4069 [50 U.S.C. 23]. After any such proclamation has been made, the several courts of the United States, having criminal jurisdiction, and the several justices and judges of the courts of the United States, are authorized, and it shall be their duty, upon complaint against any alien enemy resident and at large within such jurisdiction or district, to the disturbance of the public peace or safety, and contrary to the tenor or intent of such proclamation, or other regulations which the President may have established, to cause such

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alien to be duly apprehended and conveyed before such court, judge, or justice; and after a full examination and hearing on such complaint, and sufficient cause appearing, to order such alien to be removed out of the territory of the United States, or to give sureties for his good behavior, or to be otherwise restrained, conformably to the proclamation or regulations established as aforesaid, and to imprison, or otherwise secure such alien, until the order which may be so made shall be performed."

"Sec. 4070 [50 U.S.C. 24]. When an alien enemy is required by the President, or by order of any court, judge, or justice, to depart and to be removed, it shall be the duty of the marshal of the district in which he shall be apprehended to provide therefor, and to execute such order in person, or by his deputy, or other discreet person to be employed by him, by causing a removal of such alien out of the territory of the United States; and for such removal the marshal shall have the warrant of the President, or of the court, judge, or justice ordering the same, as the case may be."

These sections of the Revised Statutes, it is to be noted, contemplate their enforcement by the civil courts.

5. Articles of War 81 and 82 provide as follows:

"ART. 81. Relieving, Corresponding With, or Aiding the Enemy.- Whosoever relieves or attempts to relieve the enemy with arms, ammunition, supplies, money, or other thing, or knowingly harbors or protects or holds correspondence with or gives intelligence to the enemy, either directly or indirectly, shall suffer death or such other punishment as a court-martial or military commission may direct.

"ART. 82. Spies.- Any person who in time of war shall be found lurking or acting as a spy in or about any of the fortifications, posts, quarters, or encampments of any of the armies of the United States, or elsewhere, shall be tried by a general court-martial or by a military commission, and shall, on conviction thereof, suffer death."

6. Whether or not alien enemies in the Department of the Interior are amenable to these articles of war, is a matter on which there are divergent views. Mr. Edmund M. Morgan, formerly Lieutenant Colonel, JAG-Res., in 4 Minnesota Law Review 106, argues that although Article of War 81 cannot

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be confined to members of the Military Establishment it cannot, on the other hand, be extended to cover all civilians under all conditions. This author contends that the article applies to civilian retainers to the camp and civilians accompanying or serving with the Army in the field or beyond the territorial jurisdiction of the United States. He continues (p. 107):

> "* * * Properly construed, therefore, the word 'whosoever', as used in the eighty-first article of war should be held to include not only members of the military establishment and those civilians properly subject to military law under the second article of war, but also those civilians whose offenses occur in the theatre of war, in the theatre of operations or in any place over which the military forces have actual control and jurisdiction."

7. The same author, discussing Article of War 82, after construing the term "zone of operations" to include "that area which comprehends the theater of actual hostilities, the lines of communication, and the reserves and service of supply under actual military control" and not to "cover the farms, factories and workshops under exclusively civilian control, even though engaged in the production of supplies to be used ultimately by the army", says (p. 116):

> " * * * With the term, zone of operations, thus understood, the eighty-second article of war may properly and constitutionally be applied not only to those civilians who are properly subject to military law under the second article, but also to those whose offenses are committed in the zone of operations, in or about any of the fortifications, posts, quarters, or encampments of any of the armies of the United States or in or about any other place which is under the actual control or dominion of the military forces."

8. In United States v. McDonald (265 Fed. 760), which concerned an alleged spy, the court said:

> " * * * The offense of being a spy is, by statute, one of a purely military character, cognizable only in time of war and before a tribunal having its life, existence, and authority created, continued, and defined by purely military power. U. S. Rev. Stat. 1343 (Comp. St. sec. 2308a, art. 82). This statute, being general in its terms, is applicable to all persons acting as spies whether citizens of the United States or not. * * *"

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9. The Attorney General of the United States, in an opinion involving the trial of a spy (31 Op. Atty. Gen. 356) held:

> "A person apprehended upon United States territory not under martial law, who had not entered any camp, fortification, or other military premises of the United States and who had not come through the fighting lines or field of military operations, can not be tried as a spy by a military tribunal, and to such a case section 1343 of the Revised Statutes and article 82 of the Articles of War can not constitutionally be applied."

A former Judge Advocate General of the Army expressed a contrary view (Op. JAG, 1918, vol. 2, p. 252), declaring that "in time of war a spy, whether he is in the military service or not, and whether his offense is committed within or without a fort or camp or a five-mile zone, is triable before a court-martial."

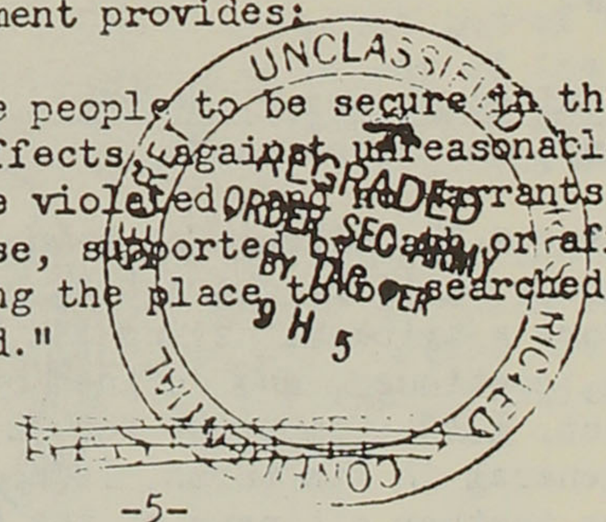
10. On the basis of the statutes and holdings outlined above, I believe that under the law as it now exists, with respect to alien enemies in the zone of the interior, the Military cannot legally control operations against "Fifth Columnists" except as provided by the Articles of War 81 and 82. This does not dispose of the question whether or not Congress, by appropriate legislation under Article I, section 8, of the Constitution could empower the Military to control such operations in time of war.

11. With respect to the authority of the Military in the zone of the interior to participate in the arrest and temporary holding of civilians who are not alien enemies but citizens of the United States (question b), the discussion to follow, unless otherwise stated, will include also alien friends who, under the Fifth Amendment to the Constitution are entitled to the protection thereof.

12. The pertinent constitutional provisions are as follows:

The Fourth Amendment provides:

> "The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no warrants shall issue, but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized."



The Fifth Amendment provides:

"No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentation or indictment of a Grand Jury, except in cases arising in the land or naval forces, or in the Militia, when in actual service in time of War or public danger; * * *"

The Sixth Amendment provides:

"In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the State and district wherein the crime shall have been committed, * * *"

Article III of the Constitution defines treason and provides that the trial of all crimes, except in cases of impeachment, shall be by jury. This does not include cases arising in the land and naval forces, for trial of which provision is made under the war powers of Congress and the Fifth Amendment.

13. Articles of War 81 and 82, insofar as they are applicable to civilians in the zone of the interior, apply to citizens as well as aliens. Therefore, the foregoing discussion of these articles is also applicable here.

14. In Ex parte Milligan (4 Wall. 2), Milligan, a citizen of the United States who had lived in Indiana for twenty years and who, at the time of the grievance complained of, was not and never had been in the military service of the United States, was arrested and tried by the Military on charges involving activities similar to those now engaged in by "Fifth Columnists". He was found guilty and sentenced to be hanged. After the proceedings of the military commission were at an end, the Circuit Court of the United States for the District of Indiana met and impaneled a jury which was charged to inquire whether the laws of the United States had been violated.

The Supreme Court, speaking through Mr. Justice Davis, said in part:

"The controlling question in the case is this: Upon the facts stated in Milligan's petition, and the exhibits filed, had the military commission mentioned jurisdiction, legally, to try and sentence him?" (p. 118)

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" * * * Certainly no part of the judicial power of the country was conferred on them; because the Constitution expressly vests it 'in one supreme court and such inferior courts as the Congress may from time to time ordain and establish,' and it is not pretended that the commission was a court ordained and established by Congress. * * *" (p. 121)

The opinion states further (p. 121) that the laws and usages of war "can never be applied to citizens in states which have upheld the authority of the government, and where the courts are open and their process unobstructed."

" * * * Congress has declared the kinds of trial, and the manner in which they shall be conducted, for offenses committed while the party is in the military or naval service. * * * All other persons, citizens of the states where the courts are open, if charged with crime, are guaranteed the inestimable privilege of trial by jury." (p. 123)

The court held that the military commission had no jurisdiction legally to try and sentence Milligan in the manner stated in the petition.

In a minority opinion by the Chief Justice, concurred in by three Justices, it was contended that, in times of insurrection or invasion or of civil or foreign war, within districts or localities where ordinary law no longer adequately secures public safety and private rights, Congress has authority, under its power to raise and support armies, to constitute military tribunals for the trial of civilian offenders.

15. In Ex parte Goldstein (268 Fed. 432), the opinion states:

" * * * Until inducted into military service, the rights of a party are to be determined, not according to military law or the law of courts-martial, but according to the standards of the civil law. * * *"

16. In United States v. McIntyre (4 F. (2d) 824), the court stated inter alia:

"* * * We may, however, inquire into the jurisdiction of the military tribunal, and, if the appellee was never in the military service of the United States, that tribunal was without jurisdiction."

(These two cases, it should be noted, did not involve offenses under Article of War 81 or 82.)

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17. During the World War, a bill, primarily to punish spies, introduced in Congress by Senator Chamberlain, proposed martial law for the whole United States. Robert S. Rankin, discussing this bill in his book, "When Civil Law Fails", says (p. 138):

> " * * * The bill simply bristled with constitutional questions. It stated that on account of changed conditions of modern warfare the United States proper had become a war zone and that the establishment of martial law was essential to the winning of the war. It was defended by its author, but serious opposition to its enactment soon developed. Senator Brandegee thought that, with the courts open and with no insurrection, the measure was 'absolutely violative of every guarantee contained in the Constitution as to trial by jury and individual liberty'."

The bill was opposed by President Wilson and it was later withdrawn by its author.

18. Mr. Rankin says, with respect to martial law (p. 139):

> "* * * The conclusion that may be gathered is that martial law will probably never be used in the United States upon a national scale, except at a time of absolute necessity, probably only when a foreign invasion will make its use imperative. However, there is reason to believe that under these conditions the Supreme Court would hold its use constitutional upon the ground of an emergency exercise of an inherent power, the same ground upon which the Supreme Court justified the emergency acts that were passed upon during the progress of the World War."

19. A consideration of the constitutional provisions, statutes, opinions, and text material outlined above, leads to the conclusion that a civilian, in the zone of the interior, who is a citizen of the United States or an alien friend, is not triable by court-martial or military commission unless he comes within the limited application of either Article of War 81 or 82.

20. To summarize: With respect to questions, it is my opinion that in the zone of the interior, which seemed to comprise areas where the civil courts are functioning normally, the Military cannot, under existing law, control operations against alien enemies who engage in "Fifth Column" activities, except insofar as it has power under Articles of War 81 and 82. The weight of authority is to the effect that the power of the Military over civilians under Article of War 81, is limited to civilians whose offenses occur in the theater of operations

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or in any place over which the military forces have actual control and jurisdiction. With respect to Article of War 82 there is a close divergence of opinion, but the preponderance appears to favor the view that the offense of being a spy is purely military and that the power to punish it properly belongs to the Military. Except for such power over alien enemies as is delegated to the Military by these two articles of war, the power to control their activities is, by sections 4067, 4069, and 4070, Revised Statutes, vested in the civil courts.

With respect to question b, it is my opinion that the Military in the zone of the interior, where the civil courts are functioning normally, does not have jurisdiction to participate in the arrest and temporary holding of civilians who are citizens of the United States, except insofar as such jurisdiction is conferred by Articles of War 81 and 82, as indicated in the paragraph next preceding; and of course excepting situations, such as those covered by Army Regulations 500-50, April 5, 1937, and 500-60, December 1, 1939, in which Federal troops are lawfully employed in aid of the civil authorities, for relief of the civil population or for the protection of Federal agencies and property against unlawful interference or damage.

The foregoing opinion is based on existing law. It does not purport to dispose of the question whether or not Congress, by appropriate legislation, under Article I, section 8, of the Constitution, could empower the Military to control operations against Fifth Columnists in time of war.

AUG 27

Allen W. Gullion,
Major General,
The Judge Advocate General.

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WAR DEPARTMENT
WAR DEPARTMENT GENERAL STAFF
PERSONNEL DIVISION, G-1
WASHINGTON, D. C.

G-1/15182-3

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JED

August 15, 1940.

ADDITIONAL MEMORANDUM FOR THE CHIEF OF STAFF:

Subject: Internment of Alien Enemies.

I. Facts bearing upon the problem.

1. The Assistant Chief of Staff, G-2, does not concur in the action recommended by G-1 because he believes that sufficient consideration has not been given to the problem of "Fifth Column" activities. He intimates that in the future "the Military will actually have to control through Provost Marshal Generals local forces in operation against the 'Fifth Column'", and that in this "the Military would certainly have to provide for the arrest and temporary holding of a large number of suspects".

2. G-2 further states that the War Department should not adopt a policy which states that the War Department is not prepared to furnish custody for persons held for investigation prior to internment.

3. The Assistant Chief of Staff, G-3, agrees generally with the Personnel Division but recommends a separate study to determine the responsibilities of the War Department for the apprehension or detention of subversive elements.

4. The Assistant Chief of Staff, G-4, recommends that The Judge Advocate General should be called upon for an opinion as to the responsibility of the War Department for providing custody of persons undergoing investigation as alien enemies or "Fifth Columnists".

5. All three of the other divisions believe that a representative of G-2 should be included in any War Department committee dealing with the Attorney General upon the question of internment of alien enemies.

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6. The Judge Advocate General was furnished a copy of the basic memorandum and of the Assistant Chief of Staff's, G-2, non-concurrence therewith, and was asked the following questions, to which he made the answers indicated:

a. "In the zone of the interior, as differentiated from the theater of operations under military control, to what extent can the Military legally, actually, control through Provost Marshal Generals local forces, police or constabulary, in operations against 'Fifth Columnists'?"

To this question The Judge Advocate General made the following reply: "It is my opinion that in the zone of the interior, which is deemed to comprise areas where the civil courts are functioning normally, the Military can not under existing law control operations against alien enemies who engage in 'Fifth Column' activities except insofar as it has power under Articles of War 81 and 82. The weight of authority is to the effect that the power of the Military over civilians under Article of War 81 is limited to civilians whose offenses occur in the theater of operations or in any place where the military forces have actual control of jurisdiction. With respect to Article of War 82, there is a close divergence of opinion, but the preponderance appears to favor the view that the offense of being a spy is purely a military one. Except for such power over alien enemies as is delegated to the Military by these two Articles of War, the power to control their activities is by Sections 4067, 4069, and 4070, Revised Statutes, vested in the civil courts."

b. "Can the Military in the zone of the interior participate in the arrest and temporary holding of civilians who are not alien enemies but citizens of the United States?"

To this question The Judge Advocate General answered as follows: "It is my opinion that the Military in the zone of the interior where the civil courts are functioning normally does not have jurisdiction to participate in the arrest and temporary holding of civilians who are citizens of the United States except insofar as such jurisdiction is conferred by Articles of War 81 and 82 * * * and of course excepting situations such as those covered by Army Regulations 500-50 and 500-60, in which Federal troops are lawfully employed in aid of the civil authorities for relief of the civil population or for the protection of ~~Federal~~ agencies and property against unlawful interference or damage."

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7. The Personnel Division believes that two entirely different, separate questions have been confused by the Assistant Chief of Staff, G-2, namely:

a. The question of internment of alien enemies.

b. The question of the use of military forces in connection with the control of subversive elements.

8. So far as the second of these questions is concerned, the Personnel Division believes that this is a matter of primary interest to the Assistant Chief of Staff, G-3, in connection with the work he is now doing on civil defense.

9. So far as the internment of alien enemies is concerned, the Personnel Division believes that the conclusions reached in the basic memorandum are correct. In the recommendations therein contained for the establishment of a committee to deal with the Attorney General, a representative of G-2 was not included because essentially the problem was one of personnel and shelter. The Personnel Division, however, has no objection to the inclusion of a member of the G-2 Division on this committee.

II. Action recommended.

1. That the Secretary of War sign and dispatch the attached letter to the Attorney General.

2. That a committee to represent the War Department in conference with the representatives of the Attorney General be appointed, this committee to consist of one representative each from G-1, G-2, G-3, and G-4.

3. That this committee be guided by the following general policy in its deliberations:

"The War Department will be prepared to provide for the custody of alien enemies actually ordered interned in time of war. It is not prepared to provide custody for those persons held for investigation prior to internment, nor to furnish guards or transportation for alien enemies during their movement to and from internment camps."

LETTER DISPATCHED BY AGO to The Atty. General, 8-27-40 ACW

4. That a copy of this file be furnished the Assistant Chief of Staff, G-3, in connection with the work he is now doing on civil defense for consideration as to measures to be taken, including legislation to be sought, to permit the Military to participate in the zone of the interior, in defensive measures

TO G-3 & mtg.

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against "Fifth Column" activities.

Wm. E. SHEDD,
Brigadier General,
Assistant Chief of Staff.

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AUG 27 1940
Received
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AUG 17 1940
13984-366

IN WAR DEPARTMENT IN
OFFICE OF CHIEF OF STAFF

Incls.
G-4/31895 of Aug. 6, 1940,
w/Incls.
G-1/15182-3 of Aug. 1, 1940,
w/Incls.
JAG 383.01 of Aug. 12, 1940,
in tripl.

AUG 26 1940
APPROVED!
By order of the Secretary of War
Wm. BRYDEN
Deputy Chief of Staff

by O. N. Bradley
Lt.Col., G.S.C., Asst. Sec. W.D.G.S.

Received A.G.O.
AUG 27 1940

NOTED - DEPUTY CHIEF OF STAFF

ACTION TAKEN: ACW

II.1 - 8-27-40 - by ltr. to The Attorney General.
2 & 3 - Action withheld pending further instructions from G-1.
4. File copy to G-3 to note.

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WAR DEPARTMENT

WAR DEPARTMENT GENERAL STAFF

PERSONNEL DIVISION G-1

WASHINGTON

G-1
JED

BRIEF: G-1/15182-3

1. In 1931, the War Department agreed to intern alien enemies turned over to it by the Department of Justice.

2. The Federal Bureau of Investigation apparently believes that the War Department will confine not only enemy aliens ordered interned but others waiting disposition and possibly other citizens not enemy aliens.

3. In order to plan, the War Department and Department of Justice should be in agreement on the question of who is to be placed in custody by the War Department in event of a war.

4. The Personnel Division believes that the W.D. policy should be as follows:

"The War Department will be prepared to provide for the custody of alien enemies actually ordered interned in time of war. It is not prepared to provide custody for those persons held for investigation prior to internment, nor to furnish guards or transportation for alien enemies during their movement to and from internment."

5. The Assistant Chief of Staff, G-2, took exception to this policy in

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light of the success of "Fifth Column" activities in the European War.

6. Both the basic memorandum and the G-2 non-concurrence have been submitted to The Judge Advocate General. He, in an informal opinion, states that the proposals of G-2 cannot now be legally carried out by the War Department.

7. The Personnel Division believes that two questions have been confused by G-2:

a. The question of internment of alien enemies.

b. The question of use of military forces in connection with control of subversive elements.

Action recommended.

1. That the Secretary of War sign and dispatch the attached letter to the Attorney General.

2. That a War Department committee be appointed to confer with representatives of the Attorney General.

3. That the committee be guided by the general policy set forth in par. 4, above.

4. That copy of this file be furnished G-3 in connection with defensive measures against "Fifth Column" activities.

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WAR DEPARTMENT
WAR DEPARTMENT GENERAL STAFF
MILITARY INTELLIGENCE DIVISION G-2
WASHINGTON

G-2/10525-845

G-2
JAL

August 20, 1940

MEMORANDUM FOR THE DEPUTY CHIEF OF STAFF:

Subject: Internment of enemy aliens.

1. Reference Additional Memorandum G-1/15182-3, August 15, 1940, herewith.

2. The opinion of the Judge Advocate General is confined to the zone of the interior. True Fifth Column operations are coordinated in time and space with those of the uniformed forces of the enemy and thus are within a theater of operations.

3. Within a theater of operations, which experience in recent operations in Europe indicates will be of greater depth than formerly conceived, there will be, in many cases, state and municipal police, and State Forces which have replaced National Guard ordered into the Federal Service. The Provost Marshal General of such a theater of operations will assume authority over any such forces and should use them in operating against the "True Fifth Column." Within such a theater of operations aliens will have to be held in custody under military authority prior to an actual order of internment. It is therefore still believed that the guiding principle for the War Department committee proposed in paragraph II 3 of Additional Memorandum for The Chief of Staff, dated August 15, 1940, should not contain any such definite statement as - "It is not prepared to provide custody for those persons held for investigation prior to internment."

4. A study for countering the True Fifth Column is at present being prepared under the supervision of the Assistant Chief of Staff, G-2, based on an oral directive of the Chief of Staff. Its completion is being held pending a conference

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between the Secretary of War, the Attorney General, the Director of the Federal Bureau of Investigation, and the Assistant Chief of Staff, G-2.

5. It is therefore recommended that the dispatch of the attached letter from the Secretary of War to the Attorney General be deferred pending the conference referred to in paragraph 4 above.

J. A. CRANE,
Colonel, General Staff,
Acting Assistant Chief of Staff, G-2.

Inclosures:
Add. Memo. 8/15/40 with incl.
as listed.

dc

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G-1/

G-1
JEB

August 24, 1940.

MEMORANDUM FOR COLONEL BRADLEY:
(Secretary of General Staff)

Subject: Internment of Alien Enemies.

1. There are two distinct questions covering the G-1 memorandum. The first is the determination of the War Department policy concerning the internment of alien enemies in the zone of the interior. This is covered in paragraph three of the action recommended. The second question is that of a conference between representatives of the War Department and of the Attorney General.

2. Although there is no great objection to a delay in holding the conference with the Attorney General on the subject, it does seem that the War Department should determine the policy that it plans to follow in event of a war, with respect to the internment of alien enemies, and that this policy should be decided upon before the conference which the Assistant Chief of Staff, G-2, mentions in paragraph four of his memorandum of August 20, because in that conference the question of alien enemies in the zone of the interior may well come up.

3. The Personnel Division believes that the problem of internment of alien enemies in the zone of the interior and the problem of combating the "True fifth column" in the theatre of operations are entirely separate and distinct and should not be confused.

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WD 014.311 (8-15-40)M-A

G-1/15182-3

G-1
JED

The Honorable,

The Attorney General.

Dear Mr. Attorney General:

Based on the precedent of the World War and on conferences held in 1931 with representatives of your office, War Department plans for emergencies provide for the custody of such alien enemies as may be ordered interned.

The relationship of the Department of Justice and of the War Department in this matter in event of emergency will have to be carefully coordinated. Questions as to division of responsibility and estimates as to numbers of persons who might be interned should be discussed so that the specific plans of each department will be in agreement.

I suggest, therefore, that one or more representatives of your department be designated to confer with several members of the War Department General Staff on the general matter of alien enemies in time of war. If this plan be agreeable, the War Department representatives will be pleased to meet those appointed by you at such time and place as you may designate.

Sincerely,

HENRY L. STIMSON

Secretary of War.

DISPATCHED BY AGO
Aug. 27, 1940
ACW

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AUG 27 1940

OFFICE OF CHIEF OF STAFF

Received A.C.G.O.

AUG 27 1940

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Office of the Attorney General
Washington, D.C.

September 4, 1940

Honorable Henry L. Stimson
Secretary of War
Washington, D. C.

My dear Mr. Secretary:

With reference to your letter of August 26, 1940 in regard to conferring on the matter of the coordination between the Department of Justice and the War Department in relation to alien enemies, I shall be very happy to appoint representatives to confer with members of the War Department General Staff.

I have asked Lawrence M. C. Smith, Chief of the Neutrality Laws Unit, to act for this Department and will probably appoint additional representatives very shortly from the divisions affected. I suggest that your representatives get in touch with Mr. Smith and that they arrange a time and place mutually agreeable for conferring. Mr. Smith will inform them of any additional representatives whom I may appoint.

Will you let me know if you have any other thoughts in the matter.

Sincerely,

Robert H. Jackson

ATTORNEY GENERAL

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DEPARTMENT
SECRETARY'S OFFICE

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WAR DEPARTMENT
WAR DEPARTMENT GENERAL STAFF
PERSONNEL DIVISION G-1
WASHINGTON

AG 014.311 (9-4-40)
G-1/15182-3

G-1
WHHM

September 17, 1940.

MEMORANDUM FOR THE CHIEF OF STAFF:

Subject: Internment of Alien Enemies.

I. Facts bearing upon the problem.

1. Additional Memorandum for the Chief of Staff (G-1/15182-3) dated August 15, 1940, on the subject stated above, approved August 26, 1940, contains the following in the "Action recommended":

> "1. That the Secretary of War sign and dispatch the attached letter to the Attorney General.
>
> "2. That a committee to represent the War Department in conference with the representatives of the Attorney General be appointed, this committee to consist of one representative each from G-1, G-2, G-3, and G-4.
>
> "3. That this committee be guided by the following general policy in its deliberations:
>
> > The War Department will be prepared to provide for the custody of alien enemies actually ordered interned in time of war. It is not prepared to provide custody for those persons held for investigation prior to internment, nor to furnish guards or transportation for alien enemies during their movement to and from internment camps.
> >
> > * * *"

2. The Attorney General replied (Tab A) to the Secretary of War's letter accepting the suggestion that one or more representatives of the Department of Justice confer with members of the War Department General Staff.

3. G-2, G-3, and G-4 recommended to G-1 their representatives to be members of the War Department Committee.

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II. Action recommended.

1. That the Secretary of War sign and dispatch the attached letter to the Attorney General.

See OCB/13984-366 agd. in Sec., G.S. 9/27/40 to G-1, G-2, G-3 & G-4.

2. That a memorandum substantially as in Tab B be issued by the Office of the Chief of Staff.

III. Concurrences.

Assistant Chief of Staff, G-2 (J. M.)
Assistant Chief of Staff, G-3 (FMA) 9/24
Assistant Chief of Staff, G-4 (RL)

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SEP 27 1940
Received Pac

Wm. E. Shedd

Wm. E. SHEDD,
Brigadier General,
Assistant Chief of Staff.

lbt

Incls.
Ltr. 9-4-40 to SW fr. Atty.General. (Tab A)
Drft.of ltr. to Atty.Gen. for sig.of SW.
Drft.of memo.to be issued by Ofce.of CS. (Tab B)

SEP 25 1940
13984-366

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WAR DEPARTMENT
OFFICE OF CHIEF OF STAFF

27 1940

APPROVED
By order of the Secretary of War
Wm. BYRON
Deputy Chief of Staff

O N Bradley

by O. N. Bradley
Lt.Col., G.S.C., Asst. Sec. W.D.G.S.

NOTED-DEPUTY CHIEF OF STAFF

Received A.G.O.
SEP 27 1940

LETTER DISPATCHED TO THE ATTORNEY GENERAL 9/27/40 AOW

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Tab B

MEMORANDUM for The Assistant Chief of Staff, G-1,
The Assistant Chief of Staff, G-2,
The Assistant Chief of Staff, G-3,
The Assistant Chief of Staff, G-4:

Subject: Internment of alien enemies.

1. A committee consisting of:

Colonel William H. H. Morris, Jr., (Inf) G.S.C.,
Chairman,
Lieut. Colonel Frank A. Heileman, (CE) G.S.C.,
Major John T. B. Bissell, (FA) G.S.C., and
Major Eugene W. Ridings, (Inf) G.S.C.,

will represent the War Department in conference with the representatives of the Department of Justice on the general matter of the internment of alien enemies in time of war.

2. The committee will be guided by the general policy set forth in G-1 memorandum for the Chief of Staff (G-1/15182-3), dated August 15, 1940, pertaining to the custody of alien enemies.

3. The committee will meet as directed by the Chairman.

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September 27, 1940.

MEMORANDUM FOR THE A. C. OF S., G-1
G-2
G-3
G-4

Subject: Interment of alien enemies.

1. A committee consisting of:

Colonel William K. H. Morris, Jr., (Inf) G.S.C.,
Chairman,
Lieut. Colonel Frank A. Heileman, (CE) G.S.C.,
Major John T. B. Bissell, (FA) G.S.C., and
Major Eugene W. Ridings, (Inf) G.S.C.,

will represent the War Department in conference with the representatives of the Department of Justice on the general matter of the interment of alien enemies in time of war.

2. The committee will be guided by the general policy set forth in G-1 memorandum for the Chief of Staff (G-1/15182-3), dated August 15, 1940, pertaining to the custody of alien enemies.

3. The committee will meet as directed by the Chairman.

By direction of the Chief of Staff:

ORLANDO WARD,
Lt. Col., General Staff,
Secretary, General Staff.

Orig. sent to G-1
Copies to G-2, G-3, G-4

SEP 27 1940 veh

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BY TAG PER

AG 014.311 (9-4-40)
G-1/15182-3

G-1
WHHM

The Honorable,

The Attorney General.

Dear Mr. Attorney General:

With reference to your letter of September 4, 1940, in regard to the general matter of the internment of alien enemies in time of war, the following committee of the War Department General Staff has been appointed to confer with representatives of the Department of Justice:

Colonel William H. H. Morris, Jr., (Inf) G.S.C.
Lieut. Colonel Frank A. Heileman, (CE) G.S.C.
Major John T. B. Bissell, (FA) G.S.C.
Major Eugene W. Ridings, (Inf) G.S.C.

Colonel Morris, chairman of the War Department committee, will get in touch with Mr. Lawrence M. C. Smith, Chief of the Neutrality Laws Unit, and arrange for a conference of the representatives.

Sincerely yours,

SEP 2.

Secretary of War.

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Sept. 27, 1940

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WD 014.311 (3-27-41)

MAR 29 1941

The Honorable,

The Attorney General.

Dear Mr. Attorney General:

Since dispatching you my letter of September 27, 1940, in regard to the general matter of internment of alien enemies in time of war, I have made the following change in the personnel of the War Department Committee appointed to confer with representatives of the Department of Justice:

Lieutenant Colonel Cyrus H. Searcy, (Inf.) G.S.C., member, in place of Lieutenant Colonel Frank A. Heileman, (CE), G.S.C.

Sincerely yours,

HENRY L. STIMSON

Secretary of War.

DISPATCHED
3-29-41 by
AGO.
ACW/ehb.

MAR 29 1941

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Reg. No. 900832, 3-29-41.

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WAR DEPARTMENT
WAR DEPARTMENT GENERAL STAFF
PERSONNEL DIVISION G-1
WASHINGTON

AG ~~381 (11-12-40)~~
G-1/15182-11

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January 13, 1941.

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MEMORANDUM FOR THE CHIEF OF STAFF:

Subject: Disposition of crews of foreign merchant vessels and other alien enemies in the event of war.

I. Facts bearing upon the problem:

1. Mobilization Regulations 1-11, subject: "Certain categories of personnel," contains provisions for the control of alien enemies. (See Tab B).

2. Record of proceedings of Army and Navy Local Joint Planning Committee, convened at Seattle, Washington, by order of the Commanding General, Ninth Corps Area, and the Commandant of the 13th Naval District, dated 31 October 1940, with letter of transmittal and five indorsements, has been referred to this division by the Assistant Chief of Staff, WPD, as a matter of primary interest on the subject of paragraph 3, 3d Indorsement, (Tab A).

3. This brings up the question of the War Department being prepared to provide facilities for the internment of the crews of certain foreign vessels in American ports, in case the necessity arises for their arrest and detention without warning. Under a war contingency the War Department has engaged to provide facilities for other categories of alien enemies turned over by the Attorney General for custody. (See Tab B).

4. In view of the broad powers granted the President by the statutes (See Tab B), it is possible that a situation may arise whereby the crews of certain foreign vessels now in American ports may be detained and interned prior to any declaration of war. For this reason it is believed the War Department should be prepared to accept and detain aliens in this category, if directed by the President.

The PMP 1941 does not contain any plans for the arrest and detention of alien enemies in the event that such

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action becomes necessary, and it is felt that plans should be made covering this subject. Army Strategical plans and Color plans do, however, include instructions regarding alien enemies. G-2 (Lt. Col. Bissell) estimates that not more than 15,000 alien enemies may require internment initially.

6. ~~The~~ proposed plan in general places responsibility on corps area commanders for the acceptance and temporary detention or internment of these alien enemies upon declaration of war or when authorized by the War Department. It is planned to establish one prisoner of war barracks in the Fourth Corps Area and two prisoner of war barracks in the Eighth Corps Area, each with the capacity of 6,000, to be constructed as required, for ~~the permanent internment~~ of alien enemies forwarded from the various corps areas.

II. Action recommended:

1. That secret letter be sent by the Secretary of War to the Attorney General, (Tab C).

2. That secret letters be sent to the commanding general of each corps area substantially as indicated in Tab D.

3. That secret letters be sent to the Commanding Generals, Panama Canal and Puerto Rican Departments substantially as indicated in Tab E.

4. That secret letters be sent to the Commanding Generals, Hawaiian and Philippine Departments, substantially as indicated in Tab F.

5. That Tab A with endorsement be returned to the War Plans Division when it has served its purpose.

6. That the Secretary of the Navy be informed of the action taken.

For action see memo 2/11/41

III. Concurrences:

Assistant Chief of Staff, G-2 ( )
Assistant Chief of Staff, G-3 ( )
Assistant Chief of Staff, G-4 ( ) Actg
Assistant Chief of Staff, WPD ( ) See memo
Commanding General, GHQ ( )

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7 jtr
Incls.
Tabs A, B, C,
D, E, & F.

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Wm. E. SHEDD,
Brigadier General,
Assistant Chief of Staff.

FEB 11 1941
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WAR DEPARTMENT

11. Functions of corps area and department commanders.— a. THE SPECIFIC CORPS AREAS AND DEPARTMENTS IN WHICH PRISONER OF WAR BARRACKS ARE TO BE ESTABLISHED WILL BE DESIGNATED IN THE LOGISTICS ANNEXES OF STRATEGIC CONCENTRATION PLANS. The commanders of these corps areas and departments will be responsible for the establishment and maintenance of the required installations; the mobilization of the necessary military police organizations; and the administration of the prisoner of war barracks, when established, in accordance with these regulations and those contained in part two, BFM, volume VII, and BFM, volume IX.

b. Corps area and department commanders will cooperate with local officials of the Department of Justice in the enforcement of provisions of regulations pertaining to alien enemies (sec. IV). Where local conditions indicate the necessity, corps area and department commanders are authorized, upon request from Federal district attorneys or United States marshals, to provide temporary custody for alien enemies arrested or detained by local Department of Justice officials. Corps area commanders will make immediate report of such confinement to The Adjutant General, giving name of alien enemy, alleged offense, and name and position of official who requested the confinement to be made.

13. Laws governing alien enemies.— Control of alien enemies resident in the United States is provided for by law. (See R.S. 4067, act April 16, 1918 (40 Stat. 531); also R.S. 4068, 4069, 4070). Whenever there is a war between the United States and any foreign nation or government or whenever any invasion or predatory incursion is perpetrated, attempted, or threatened against the territory of the United States by any foreign nation or government, and the President makes a public proclamation of the event, the statutes cited authorize the President to regulate the conduct of all natives, citizens, denizens, or subjects of the hostile nation, being of the age of 14 years and upward, not naturalized, and resident in the United States, which shall be considered to include all land and water, continental and insular, in any way within the jurisdiction of the United States.

14. Proclamation and regulations.— Under R.S. 4067 (par.13), the President may, if he shall issue a proclamation—

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a. Direct the conduct to be observed on the part of the United States toward alien enemies.

b. Prescribe the manner and degree of restraint to which they shall be subject.

c. Prescribe in what cases and upon what security their residence shall be permitted.

d. Provide for the removal of those who, not being permitted to reside within the United States, refuse or neglect to depart therefrom.

e. Establish any other regulations which are found to be necessary in the premises and for the public safety.

15. Arrest and detention.—After issuance of a proclamation (par. 14), arrest and detention of alien enemies, to include internment for the period of the war, may be made in one of two ways:

a. By direct order of the President, without recourse to the courts.

b. By complaint to a court, judge, or justice of a United States court, and issue of warrant under R.S. 4069.

16. Enforcement of laws and regulations.—Based on the precedent established during the World War, it is expected that the duty of enforcing the laws pertaining to alien enemies, and the regulations issued thereunder, in the continental United States and organized territories will be charged to the Attorney General and that he, by direction of the President, will exercise the authority summarily to arrest, detain, parole, or intern alien enemies. THE WAR DEPARTMENT HAS ENGAGED TO PROVIDE FACILITIES FOR THE INTERNMENT OF SUCH ALIEN ENEMIES AS MAY BE TURNED OVER TO IT FOR CUSTODY BY THE ATTORNEY GENERAL. IN OTHER UNITED STATES POSSESSIONS, PROVISION WILL BE MADE IN APPROPRIATE PLANS OR PROJECTS FOR THE ENFORCEMENT OF LAWS AND REGULATIONS AS TO ALIEN ENEMIES.

a. The procedure to be followed with respect to arrest, detention, parole, or internment will probably be as follows:

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(1) Arrests will be made by civil police officers, usually the United States marshals, on warrants issued by the Attorney General or any United States court.

(2) Persons arrested will be confined temporarily in the places ordinarily designated for Federal prisoners.

(3) The attorney General, after investigation, will decide on the disposition to be made of the prisoner. If internment is ordered, he will notify The Adjutant General, who will designate the place of internment and notify the commanding officer of the prisoner of war barracks of the name of the person to be interned and the expected time of arrival.

(4) The Attorney General will, upon receipt of information from The Adjutant General, notify the United States marshal in whose custody the alien enemy is held, of the place of internment. This latter official will convey the prisoner to the designated place of internment and there turn him over to the military authorities.

(5) For duties of corps area and department commanders with respect to cooperation with Department of Justice and temporary confinement of alien enemies, see paragraph 11.

b. Alien enemies whom local military authorities desire investigated or arrested will be reported to the nearest United States attorney.

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TAB D.

SECRET LETTER TO BE SENT TO THE COMMANDING GENERAL OF EACH CORPS AREA.

1. It is desired that you prepare plans which, in the event of a declaration of war or on authorization by the War Department, will provide for the acceptance of such alien enemies, including crews of foreign vessels, as may be delivered to ports, camps, or stations in your corps area by the Department of Justice, the Navy Department, or other federal agencies. It is further desired that plans be prepared to provide for the temporary detention or custody of such alien enemies for a period of approximately three months, while arrangements for their permanent custody are being completed. It is estimated that the number of alien enemies for whom corps area commanders will be required to provide temporary custody is as follows:

1st Corps Area	2,000
2nd Corps Area	4,000
3rd Corps Area	2,000
4th Corps Area	So few as to not constitute a serious problem.
5th Corps Area	1,000
6th Corps Area	2,000
7th Corps Area	So few as to not constitute a serious problem.
8th Corps Area	So few as to not constitute a serious problem.
9th Corps Area	4,000

2. Should the need arise, you are authorized to call on Army commanders for such troops as you may require to provide the temporary custody indicated in paragraph 1 above.

3. Alien enemies will be forwarded to permanent prisoner of war barracks in the Fourth or the Eighth Corps Area, upon completion of these camps, on orders of the War Department.

4. Attention is invited to MR 1-1 and MR 1-11.

5. The general provisions of your plan for the acceptance and detention of these alien enemies, including an estimate of troops and construction required, will be submitted to the War Department. Your plan will indicate points at which you intend to receive such alien enemies as may be turned over by the Department of Justice or other federal agencies.

(ADDITIONAL PARAGRAPH FOR COMMANDING GENERAL OF FOURTH CORPS AREA).

6. ~~You will~~ also select a site for a permanent prisoner of war barracks, capacity of approximately [redacted], subject to final approval

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by the War Department. Construction of this camp, when approved, will be commenced only on orders of the War Department.

(ADDITIONAL PARAGRAPH FOR COMMANDING GENERAL OF EIGHTH CORPS AREA).

6. It is desired that you also ~~You will also~~ select sites for two permanent prisoner of war barracks, capacity 6,000 each, subject to final approval by the War Department. Construction of these camps, when approved, will be commenced only on orders of the War Department.

See letter 3/11/41 ACSW

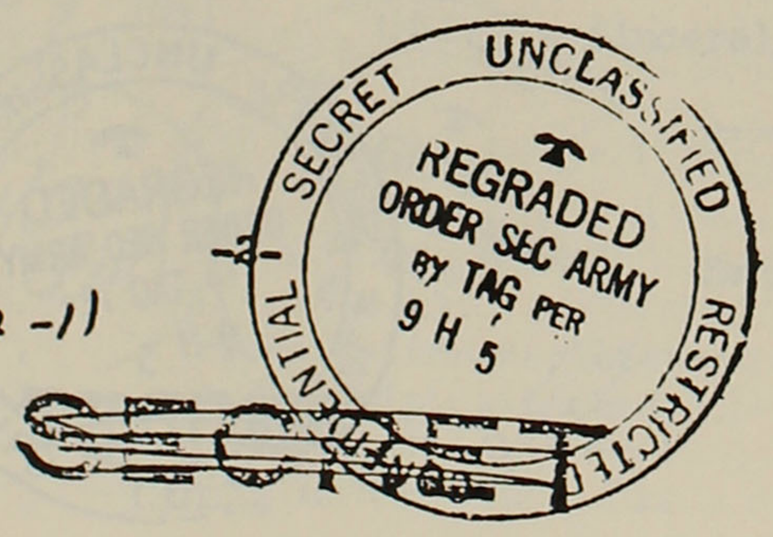
32 A G

MAIL AND RECORDS

RECEIVED

Ans Ref. to G-1/15182-11

1-13-41



[redacted] [redacted] G-2
VWC/JAL/SM

WAR DEPARTMENT
WAR DEPARTMENT GENERAL STAFF
MILITARY INTELLIGENCE DIVISION G-2
WASHINGTON

January 16, 1941

MEMORANDUM FOR THE ASSISTANT CHIEF OF STAFF, G-1:

Subject: Disposition of crews of foreign merchant vessels and other alien enemies in the event of war.

1. Reference your memorandum, same subject, January 13 herewith.

2. In the last paragraph of the prepared letter from the Secretary of War to the Attorney General, a request is made for an estimate of the number of alien enemies in the continental United States to be interned in case of war. This paragraph should be rewritten so as to make precise what countries are in mind. The estimate must be based on specific countries being involved.

SHERMAN MILES,
Brigadier General, U. S. Army,
Acting Assistant Chief of Staff, G-2.

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[redacted]

REC'D. G-1 JAN 16 1941

WD 014.311 (1-13-41)"-A

The Honorable,

The Attorney General.

Dear Mr. Attorney General:

The War Department is perfecting its plans for the custody of alien enemies turned over to it by the Department of Justice and other Federal agencies in the event of a declaration of war. Consideration of the plans has developed the desirability of including certain provisions in any Presidential proclamation which may be issued declaring a state of war to exist. It is therefore requested that if, and when, such a proclamation is issued it include the following provisions:

1. That all alien enemies be forbidden the right to enter or remain in the Canal Zone, Puerto Rico, and Alaska, and that all alien enemies in these areas be immediately interned and arrangements be made for their deportation therefrom to the continental United States. (In the Canal Zone and Puerto Rico, internment and custody of alien enemies will be the function of the department commander; in Alaska, internment will be accomplished by agents of the Department of Justice, while custody will be the responsibility of the Commanding General, Alaska Defense Command.)

DISPATCHED 3-8-41 by AGO.
ACW/ehb

2. That all alien enemies be forbidden the right to possess firearms, ammunition, explosives, radios, or signal devices, including codes or ciphers.

3. That all alien enemies be forbidden the right to enter or leave the Hawaiian Islands, except under such regulations that may be locally prescribed, and that the movement of alien enemies within the Hawaiian Islands be confined to such restricted areas as may be locally prescribed.

It is further requested that you delegate to the Federal District Attorney in Hawaii the authority to intern all alien enemies in that territory.

MAR 7 1941

Sincerely yours,

OUT

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OUT
DEGRADED
UNDER SEC ARMY
Ref. TAG-PEF
3-11-41.
(See return registered receipt attached.).
4:30 PM
STATE DEPT.

Secretary of War..

Tab B.

~~SECRET~~ 3/26/41

Recommendations of Representatives of the War Department and of the Department of Justice for Cooperation Respecting Internment of Alien Enemies.

There is general agreement between the representatives of the two Departments that the efforts of the War Department and the Department of Justice will be directed toward the internment of those persons who are considered dangerous, and only those persons whose removal from society is consistent with the public interest. The combined efforts of both will be directed toward the avoidance of difficulties arising from (a) over-internment, (b) the unnecessary creation of situations in which dependency of family, infirm persons or minors presents a problem, (c) the reckless internment of labor leaders, (d) the internment of persons for disloyal statements made prior to the outbreak of war.

The procedure of the Department of Justice will be substantially as follows. It will:

1. Prepare a proclamation for submission to the President for promulgation immediately upon the declaration of war under the authority of 50 U.S.C. 21, providing regulations to govern the conduct and control of all alien enemies, including the crews of interned enemy ships[1], within the United States or in the territories subject

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[1] Special instructions are being prepared for the internment of the crews of foreign ships in port, to be effected through the U.S. Attorneys concerned with the cooperation of the Navy Department, the Bureau of Immigration and Naturalization, and the Treasury Department. Attention will likewise be given to the procedure for dealing with alien enemy crews of ships on the high seas.

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to the jurisdiction of the United States, and which shall forbid alien enemies the right to enter or remain in the Canal Zone, and provide that all alien enemies in this area be immediately interned and arrangements be made for their deportation therefrom to the continental United States; and which shall forbid alien enemies the right to enter or leave Alaska, the Hawaiian Islands, or Puerto Rico, except under such regulations as may be locally prescribed. It shall also restrict the movement of all alien enemies in the Hawaiian Islands to such areas as may be locally prescribed. This proclamation will likewise provide that all aliens be forbidden the right to possess firearms, ammunition, explosives, radios, or signal devices, including codes or ciphers.

2. Delegate the authority to intern alien enemies and to designate restricted areas to which alien enemies shall be confined in the Hawaiian Islands, to a representative of the Department of Justice who shall act on behalf of the Attorney General.

3. Prepare instructions to United States Attorneys to be confidentially released in time to advise of the necessary procedure to follow in an emergency. These instructions will include a description of the facilities to be provided by the Corps Area Commander and an enumeration of the items in which cooperation has been worked out between the War Department and the Department of Justice. These instructions will likewise describe to each United States Attorney the points of assembly in his Federal

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district which ~~has~~ have been designated by the Corps Area Commander for transferring alien enemies to the custody of military authorities for permanent detention[2].

4. Make arrests, by authority of 50 U.S.C. 21 by means of a Presidential warrant recommended by the United States Attorney, on the basis of information submitted to the United States Attorney by a Federal Bureau of Investigation agent or other informatory sources, under the supervision of the Federal Bureau of Investigation, of all alien enemy persons believed to be dangerous in the United States, Alaska, Hawaii, Puerto Rico, and the Virgin Islands. All warrants will be issued by the Attorney General.

5. Prepare a report following arrests. This information, supplemental, if necessary, to the information submitted when the warrant for the alien enemy's arrest is requested, is to be made by the United States Attorney from information obtained primarily from the Federal Bureau of Investigation or from other informatory sources whose supply of information shall be under the supervision of the Federal Bureau of Investigation, and from the alien enemy himself by means of a hearing given him in which questions are to be asked as to his citizenship, age, loyalty, and activities. The United States Attorney will forward all information on which his

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[2] As used in this memorandum "permanent" detention refers to the period after a determination has been made and describes that period during which the alien enemy is in the custody of the War Department and the sole responsibility of that Department, as differentiated from "temporary" detention which refers to the period previous to a decision on the disposition of the alien enemy's case.

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report is based, together with his recommendation for disposition of the case in terms of internment, parole, with or without bond, or conditional or unconditional release, to the Attorney General.

6. Provide for temporary custody of the alien enemy by the United States Marshal in incarceration quarters regularly used for Federal prisoners during the period previous to decision on the disposition of his case. In those cases where no facilities are available for temporary custody because of geographical location, overcrowding, or for any other reason, the War Department undertakes to provide additional facilities for such temporary custody upon a certificate of necessity from the United States Attorney to be furnished the Corps Area Commander concerned.

7. Direct from the Department in Washington, as expeditiously as possible, following the submission of the United States Attorney's report and recommendation, the internment, parole, with or without bond or the conditional or unconditional release of each alien enemy held in temporary custody.

8. Where the permanent detention of an alien enemy is approved, on the recommendation of the United States Attorney, notify the United States Attorney of the action taken. When it has been determined that all records in his office are complete, the United States Attorney will be directed by order of the Department of Justice to notify the United States Marshal to deliver the prospective internee, together with a copy of the internment

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order and the information record concerning the prospective internee to a place designated by the Army Corps Area Commander and to receive a receipt for the person so delivered. Thereafter the alien enemy internee becomes the sole responsibility of the War Department which undertakes to provide permanent detention facilities as hereinafter described.

9. Submit to the War Department with each alien enemy, if and when he is placed in permanent detention, an information record as to his character and activities as above described. In this connection particular attention will be given to any information which would be useful to custodial authorities, with reference to such matters as the peculiar knowledge, abilities or habits of the individual being interned.

10. Where the parole of an alien enemy is approved, on the recommendation of the United States Attorney, notify the United States Attorney of the action taken and authorize the procedure to follow.

11. Where the release of an alien enemy is approved on the recommendation of the United States Attorney, notify the United States Attorney of the action taken so that the alien enemy in custody of the United States Marshal may be released. A record of the arrest and the action taken is to be kept in a permanent file in the office of the United States Attorney and at the Department in Washington.

12. Prepare an information questionnaire to be filled in by all alien enemies who have been assigned to permanent detention. This questionnaire will be designed to elicit detailed information about the life, activities and associations of each interned alien enemy. It will require that he have the assistance of persons who will obtain affidavits for him from persons who have known him in his community, etc. The completion of this statement will be a condition precedent to any application for review of the circumstances for which his internment has been ordered.

13. Accept for custodial detention all women alien enemies who are directed to be interned, in facilities furnished by the Bureau of Immigration and Naturalization.

14. Set up a review board to pass on the merits of the cases of those internees who have complied with the requirement of filling out an information questionnaire, and who have given notice of the desire for a review of their cases. It will be the function of this board upon the outbreak of a state of war to put into effect the appeal procedure.

15. Establish at once a committee to be composed of one representative of the War Department and one representative from the Department of Justice, the functions of which shall be (a) to coordinate procedure between the two Departments in so far as it affects the alien enemy program, (b) to recommend standards of

internment custody, should a state of war ever make internment of alien enemies necessary, (c) to plan generally to meet any emergency so as to eliminate bottlenecks and so as to make every preparation for handling problems in connection with alien enemies in the event of war.

It is possible that such a committee might be augmented in the event of war by the addition of advisory civilian representatives.

The War Department will:

1. Accept for permanent custodial detention all male alien enemies including the crews of enemy ships directed to be interned by the Department of Justice, and provide the necessary supplies, subsistence and medical care for such aliens during the period of custody by the military authorities. Initially this permanent custodial detention will be accomplished in each of the nine Corps Areas where suitable facilities will be provided to be used for a three to five months' period pending the construction of three major enemy alien internment camps as hereafter described.

2. Provide military officers who, upon advice from the Department of Justice of the proposed internment of an alien enemy, will meet the United States Marshal, who is in custodial charge of the alien enemy being transferred from temporary quarters where he has been kept pending a decision on his case, to quarters for permanent detention, at designated points of assembly to be designated by Corps Area Commanders, to take over the custody of such prospective internees and conduct them to the aforementioned

internment facilities, there to be kept in custody pending (a) transfer by the War Department to major enemy alien internment camps, (b) orders for release by the Department of Justice.

3. Provide food en route for alien enemies being taken from points of assembly to destination for permanent detention in Corps Area facilities.

4. Provide transportation for alien enemies being taken from points of assembly to destination for permanent detention in Corps Area facilities.

5. Construct three major camps for permanent detention of all internees, including those transferred from Corps Area facilities at the end of the three-to-five months' period following the declaration of war, in the Southeast, the Middle South, and Southwest, one of which will be in the Fourth Corps Area and two of which will be in the Eighth Corps Area. The points of assembly to be designated by the War Department will thereafter be as close as possible to the three major camps and military officers will be deputized by the United States Marshal to take charge of prospective internees from these points to the major camps for permanent detention.

6. Provide transportation between Corps Area detention facilities and major camps for permanent detention.

7. Cooperate with the United States Marshal in all Federal Districts by providing detention facilities where practical

for alien enemies during the temporary detention period prior to a decision by the Department of Justice as to the necessity for permanent detention, whenever there is overcrowding or whenever prisons are unavailable upon a certificate of the United States Attorney to that effect.

8. In Alaska and Puerto Rico provide all internment facilities for alien enemies arrested, as well as for all alien enemies directed by the Department of Justice to be permanently interned.

9. Provide all internment facilities for alien enemies in Hawaii who are directed to be permanently interned and who cannot be handled in regular Federal incarceration quarters.

10. Provide for arrest and all internment facilities for alien enemies arrested in the Philippine Islands and Canal Zone, the said alien enemies to be arrested upon authority of the military governor.

11. Provide permanent internment quarters for alien enemy internees from the Virgin Islands.

12. Recommend areas for which restrictions should be prescribed for the confinement of alien enemies in Alaska, Puerto Rico, and the Hawaiian Islands.

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MEMORANDUM FOR: (THE ASSISTANT CHIEF OF STAFF, G-2)
(" " " " " G-3)
(" " " " " G-4)
(" " " " " WPD)
(THE COMMANDING GENERAL, GHQ)
(THE JUDGE ADVOCATE GENERAL)
(THE INSPECTOR GENERAL)

Subject: Proposed joint agreement between the Secretary of War and the Attorney General in connection with cooperation respecting internment of alien enemies.

1. There is attached hereto a tentative agreement prepared by the War and Justice Department Alien Enemy Committees, which agreement will, in its final form, be presented to the Secretary of War and the Attorney General for joint signature.

2. Your comment or concurrence is desired at the earliest practicable date.

Assistant Chief of Staff, G-1.

Incl.
(Tab 2)

CONFIDENTIAL SECRET UNCLASSIFIED REGRADED ORDER SEC ARMY BY TAG PER 9 H 5

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SECRET/319

April 14, 1941
By Authority
C. G., 9th C. A.
Initial

SUBJECT: Disposition of Crews of Foreign Merchant Vessels and other Alien Enemies in the event of War

TO: The Adjutant General, War Department, Washington, D. C.

1. Reference is made to your letter, AG 014.311 (1-13-41) M-A, March 11, 1941, subject as above. The plan submitted herewith is based on having five collecting points near the Pacific Coast, at which aliens will be kept until they can be transferred to permanent prisoner of war barracks in the Fourth or Eighth Corps Area. Aliens will be received only at the collecting points.

2. The five collecting points are to be located as follows:

a. Fort Lewis, Washington (17 miles south of Tacoma, Washington).

b. Camp Killpack, Washington (21 miles northeast of Portland, Oregon).

c. Angel Island, California (In San Francisco Bay. Fort McDowell is on Angel Island).

d. Camp San Clemente, California (Two miles south of the town of San Clemente. It is about halfway between Los Angeles and San Diego).

e. East Garrison (Area No. 2), Fort Ord, California (6 miles northeast of Monterey, California).

3. The capacity for which each collecting point is to be designed and the estimate of cost of construction is as follows:

	COLLECTING POINT	CAPACITY	COST
a.	Fort Lewis	315	$32,000 (Incl 1)
b.	Camp Killpack	230	43,000 (Incl 2)
c.	Angel Island	300	26,200 (Incl 3)
d.	Camp San Clemente	500	46,000 (Incl 4)
e.	East Garrison (Area No. 2) Fort Ord	2655	358,120 (Incl 5)

4. a. If the above plan is approved or it is preferred that aliens not be interned so near the seaboard it is recommended that one central camp

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be constructed at Camp Williams, Utah, and that aliens be accepted from other Federal agencies only at that place. This plan eliminates all collecting points.

b. The cost of construction in order to accommodate 4,000 aliens at Camp Williams is estimated to be (See Incl 6):

$1,104,000 for an all weather camp (Plan 1)

582,000 for a tent camp (Plan 2)

511,500 for an alternate tent camp (Plan 3)

c. Since the use of tents is inadvisable in the vicinity of Camp Williams from November to March, inclusive, Plan 1 is recommended.

5. Personnel required for the operation of collecting points is shown in Inclosures 7, 8, 9, and 10. The total for each camp is as follows:

a. Fort Lewis - 252 (Incl 7)

b. Camp Killpack - 252 (Incl 7)

c. Angel Island - 252 (Incl 7)

d. Camp San Clemente - 264 (Incl 8)

e. East Garrison (Area No. 2), Fort Ord - 1068 (Incl 9)

f. Camp Williams - 1108 (Incl 10)

6. No special provision has been made to take care of female aliens.

7. Since a large number of aliens will probably be picked up immediately upon a declaration of war, it is recommended that authority and funds be made available for construction of camps as early as practicable. If the Army should be required to accept aliens for internment before these camps have been prepared for their reception, it will be most difficult to properly house and guard them.

8. The San Clemente Camp is in the California State Park area; Camp Williams is property of the State of Utah. It is not anticipated that any difficulty will be encountered in obtaining permission of State authorities to use these camps; however, no formal request will be made for such permission until a plan has been approved.

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Ltr from CG, NCA, April 14, 1941, Subject: "Disposition of Crews of Foreign Merchant Vessels and other Alien Enemies in the event of War", to TAG (Contd)

9. The return of all blueprints is requested.

For the Commanding General:

RECEIPT ACKNOWLEDGED
APRIL 18, 1941.
APS/ACW/cdm

16 A G O
APR 18 1941
Received

10 Incls:
Incl 1 - (1) Summary of Info (Ft Lewis)(Dupl)
(2) Ltr, HNCA, 4/1/41, to CO, Ft Lewis w/1st Ind, 4/3/41, in reply thereto inclosing Plot Plan & Field Drawing
Incl 2 - (1) Summary of Info (Camp Killpack)(Dupl)
(2) Blueprint
Incl 3 - (1) Summary of Info (Angel Island)(Dupl)
(2) Blueprint
(3) Photo #1
(4) Photo #2
Incl 4 - (1) Summary of Info (San Clemente Camp)(Dupl)
(2) Blueprint
Incl 5 - (1) Summary of Info East Garrison (Area #2), Fort Ord (Dupl)
(2) Blueprint
Incl 6 - (1) Summary of Info (Camp Williams)(Dupl)
(2) Blueprint (Plan #1)
(3) Blueprint (Plan #3)
(4) Blueprint (Camp Layout)
Incl 7 - Personnel for CPs at Ft Lewis, Camp Killpack, & Angel Island (Dupl)
Incl 8 - Personnel for Camp San Clemente (Dupl)
Incl 9 - " " East Garrison (Area #2), Ft Ord (Dupl)
Incl 10 - " " Camp Williams (Dupl)

AG 014.311 (4-14-41)M ACW/cdm
War Dept., AGO, 4/19/41. To: G-1.

FILE APR 19 1941

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IMMEDIATE ACTION

SUBJECT: Disposition of Crews of Foreign Merchant Vessels and other Alien Enemies in the event of War.

AG 014.311 (4-14-41)M-A 1st Ind. ACW/hcg - 1712

War Department, A.G.O., May 5, 1941. - To: Commanding General, Ninth Corps Area.

1. Returned for further study.

2. There is no objection to the collection and temporary detention of alien enemies at points in your Corps Area, as outlined in the basic communication, but the estimated cost of the program submitted is considered excessive. The numbers of personnel shown as required for the operation of collecting points are also regarded as excessive.

3. It is desired that a further study be made of the program with a view to reducing the cost thereof, consideration being given to the following:

a. The full utilization of all existing facilities in your Corps Area, either permanent or temporary;

b. The possibility of reducing the number of temporary detention camps;

c. The elimination of any construction or grading of walks, roads, drainage, etc., that might be accomplished by detentioners, except the minimum necessary to make the temporary detention camps habitable;

d. The elimination of all construction that is not considered essential to the well-being of the detentioners during their temporary incarceration in the detention camps.

4. The plan containing revised estimates of the cost of the program and personnel requirements will be resubmitted to the War Department.

By Order of the Secretary of War:

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10 Incls. n/c

Adjutant General.

BASED ON: G-1/15182-11, April 28, 1941.
COMPARED: hcg/wlh

Reg.No. 900157, 5-6-41.

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WAR DEPARTMENT

OFFICE OF THE JUDGE ADVOCATE GENERAL

WASHINGTON

War Plans
JAG 383.01

MEMORANDUM for the Assistant Chief of Staff, G-1.

Subject: Proposed agreement between the Secretary of War and the Attorney General respecting internment of alien enemies.

1. By disposition form dated April 16, 1941 (G-1/15182-11 AG), there was referred for comment or concurrence an amended draft of a tentative agreement between the Secretary of War and the Attorney General involving cooperation in the internment of enemy aliens. A memorandum based upon the agreement as originally drawn was written by this office on April 11, 1941 (JAG 383.01). The principal change now appearing in the tentative agreement is found in the provision that, in the Philippine Islands, the Panama Canal Zone, and Hawaii, the apprehension and arrest of alien enemies are to be made by the military authorities instead of personnel of the Department of Justice.

2. The question is presented whether the President can make use of the Army in effecting the internment of enemy aliens. The ostensible basis of the President's power in wartime over enemy aliens is found in the Alien Enemy Act (approved Aug. 16, 1918, 40 Stat. 531; 50 U.S.C. 21). This act was originally enacted on July 6, 1798, and although amended in 1918 is substantially the same now so far as procedure is concerned. That act provides, in part, as follows:

"* * * The President is authorized, in any such event, by his proclamation thereof, or other public act, to direct the conduct to be observed, on the part of the United States, toward the aliens who become so liable; the manner and degree of the restraint to which they shall be subject and in what cases, and upon what security their residence shall be permitted, and to provide for the removal of those who, not being permitted to reside within the United States, refuse or neglect to depart therefrom; and to establish any other regulations which are found necessary in the premises and for the public safety."

3. The laws of the United States in general are not applicable to the Philippine Islands or to the Panama Canal Zone. Therefore,

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the Alien Enemy Act, as a statute of the United States, is not applicable there. However, as noted from the terms of the proclamation to enemy aliens, issued during the World War, quoted post, paragraph 11, such proclamation was made applicable to all lands, continental or insular, within the jurisdiction of the United States. The authority for so doing is not clear. However, there are other laws applicable which authorize internment.

4. This office by memorandum opinion (JAG 014.311, July 11, 1939) held that the President, under existing laws, had the power in time of war or major emergency to effect the registration, internment, and necessary control of alien enemies in the Philippine Islands. However, in this connection, attention is directed to the memorandum of this office to you of April 11, 1941 (JAG 383.01). In the Panama Canal Zone, in time of war or when, in the opinion of the President, war is imminent, such officer of the Army as the President may designate shall, upon order of the President, assume and have exclusive authority (act Aug. 24, 1912, 37 Stat. 569; 48 U.S.C. 1306). Under such act the military commander has absolute control over enemy aliens (JAG 020.7, Sept. 5, 1940). There is, therefore, no legal objection to the change in the proposed agreement so far as concerns the Canal Zone or the Philippine Islands.

5. The Constitution and laws of the United States are extended to Hawaii by section 5 of the Organic Act of that territory (31 Stat. 141; 48 U.S.C. 495). The Alien Enemy Act cited and quoted in part in paragraph 2, ante, is therefore in force in Hawaii. Does it authorize in that territory what it is now proposed to do? In discussing the powers of the President under that act in a case arising out of the War of 1812, it was said in Lockington v. Smith (Fed. Case No. 8,448):

> "First, the power of the president under the first section of the law, to establish by his proclamation or other public acts, rules and regulations for apprehending, restraining, securing, and removing alien enemies, under the circumstances stated in that section, appears to me to be as unlimited as the legislature could make it. * * * and, to avoid all doubt as to the extent of his power, he is authorized in general and unqualified terms, to establish any regulations which he should think necessary in the premises, and for the public safety. There is not, I think, the slightest ground for the argument, that every restraint or confinement of an alien enemy is unauthorized by this law, unless it be made with a view to his removal from the United States. * * *"

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6. In what manner may the President cause alien enemies to be apprehended, restrained, or removed? The third section of the Alien Enemy Act provides:

> "* * * When an alien enemy is required by the President, or by order of any court, judge, or justice, to depart and to be removed, it shall be the duty of the marshal of the district in which he shall be apprehended to provide therefor and to execute such order in person, or by his deputy or other discreet person to be employed by him, by causing a removal of such alien out of the territory of the United States; and for such removal the marshal shall have the warrant of the President, or of the court, judge, or justice ordering the same, as the case may be." (R.S. 4070, 50 U.S.C. 24)

Does this provision specify, exclusive of other means, the manner in which the President is to cause the arrest of alien enemies? It is not believed that it does. It is to be noted that the section applies only to removal of aliens out of the territory of the United States. No specific authority is given to the marshal to enforce an order for restraint or internment of aliens as distinguished from one which is for their removal from the United States. In this connection, however, the court said in Lockington v. Smith, supra:

> "* * *If then the President was authorized to direct the confinement of alien enemies, without intending to remove them, I am of opinion that the powers vested in him, necessarily conferred all the means of enforcing his orders; and since it would be absurd to suppose that the president could personally enforce his own decrees, it follows that he might direct others to do it; and what officer of the government could, with so much propriety, be clothed with this authority, as the marshals of the several districts? The third section of the law [50 U.S.C. 24, supra] applies to the single case of a removal from the United States, in which case the marshal, by the express provisions of that section, is to act under the warrant of the president: But, in all other cases coming within the provisions of this law, the authority of the marshal to carry into execution the regulations and orders of the president, is implied in the power conferred on the president to establish these regulations." (Underscoring supplied)

It is to be noted that the court held that the power of the marshal to arrest an alien on a Presidential warrant was derived, not from the

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express language of the act, but from the implied powers of the President to use any available means of enforcing those powers. Therefore, unless there is some constitutional or legal obstacle in the way, the President may choose the Army as the agency by which to exercise the powers conferred upon him.

7. Is there any constitutional or statutory prohibition against the use of the Army for that purpose? In this connection the posse comitatus act must be considered. That act (sec. 15, act June 18, 1878, 20 Stat. 152; 10 U.S.C. 15) provides in part as follows:

> "From and after the passage of this act it shall not be lawful to employ any part of the Army of the United States, as a posse comitatus, or otherwise, for the purpose of executing the laws, except in such cases and under such circumstances as such employment of said force may be expressly authorized by the Constitution or by act of Congress; * * *"

8. An important and well-established principle of statutory construction is thus stated in the recent case of United States v. Borden Company (308 U.S. 188, 198):

> "* * * When there are two acts upon the same subject, the rule is to give effect to both if possible. * * *"

9. To the same effect are many cases cited in the Borden opinion following the quotation just made, also Beals v. Hale (4 Howard 37,51), and Townsend v. Little (109 U.S. 504,512). Applying the above principle, if the question were a new one, I should be disposed to say that the general power to restrain aliens in time of war given the President by the statute first above quoted is limited by the posse comitatus act and that he must exercise his powers by some agency other than the Army.

10. On the other hand, there is another principle of statutory construction which tends to support the legality of the use of the Army to arrest and intern alien enemies. It is thus stated in United States v. Moore (95 U.S. 760, 763):

> "The construction given to a statute by those charged with the duty of executing it is always entitled to the most respectful consideration, and ought not to be overruled without cogent reasons. Edwards v. Darby, 12 Wheat. 210; United States v. The State Bank of North Carolina, 6 Pet. 29; United States v. MacDaniel, 7 id. 1. The officers concerned are usually able men, and masters of the subject. * * *"

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To the same effect are Hastings and Dakota Railroad Co. v. Whitney (132 U.S. 357, 366), Federal Land Bank v. Warner (292 U.S. 53, 55), and many other cases.

11. What construction has in practice been placed upon these statutes? Has the Army been used to enforce the act with relation to alien enemies? The power of the President to make use of the Army in enforcing the Alien Enemy Act during the World War was apparently assumed without question. Thus, in the first proclamation it was provided in part (40 Stat. 1650, par. (12)):

> "An alien enemy whom there may be reasonable cause to believe to be aiding or about to aid the enemy, or who may be at large to the danger of the public peace or safety, or who violates or attempts to violate, or whom there is reasonable ground to believe that he is about to violate, any regulation duly promulgated by the President, or any criminal law of the United States, or of the States or Territories thereof, will be subject to summary arrest by the United States Marshal, or his deputy, or such other officer as the President shall designate, and to confinement in such penitentiary, prison, jail, military camp, or other place of detention as may be directed by the President.
>
> "This proclamation and the regulations herein contained shall extend and apply to all land and water, continental or insular, in any way within the jurisdiction of the United States."

Later proclamations are published in 40 Statutes 1716, 1728, and 1772.

12. During the World War, though the Army did not actually arrest or apprehend the enemy alien, it did have charge of his detention and confinement after arrest. The legal right to so do was never questioned, and the right of the Army to receive and retain enemy aliens was recognized by this office (JAG 383.7, July 2, 1918). As far as the powers granted under the Alien Enemy Act are concerned, there is no distinction between apprehension, confinement, and removal of the alien. If the President may legally use the Army as an agency for any one of these purposes, he may use it for all.

13. There is another argument against the application of the posse comitatus act to the restraint of aliens. It is apparent from a reading of the act that its purpose was to prevent the use of the Army as a law-enforcing agency. Law enforcement is ordinarily a function of the civil authorities and it is only in certain emergencies

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that the Army is used. The principal use of the Army and Navy is for defense against foreign foes. The Constitution makes the President the commander in chief of the Army and Navy. The Army is therefore by the Constitution directly under the control of the President. As such commander it is his duty to provide for the common defense, and for such purpose he has the constitutional authority to make such use of this agency as may be necessary. This power of the President as a military commander must be distinguished from his power as the chief civil executive. As executive head of the government it is his duty to enforce the laws. It is clear that the provisions of the posse comitatus act were directed to the use of the Army by the President as executive in enforcing the civil laws. It was not directed to the use of the Army as an agency for defense in time of war. The Alien Enemy Act is applicable only in time of war and is a measure designed to promote the common defense. The common enemy may operate just as effectively through "fifth columnists" as through its army in the field. The President as commander in chief of the Army has the constitutional power to use the Army for common defense, which includes the internment of aliens. If the Army may be used to fight the enemy on the field, it may also be used to fight the enemy behind the battle lines. The provisions of the Alien Enemy Act, therefore, should not be construed as being in any way limited by the posse comitatus act.

14. My conclusion is that the new provision introduced into the draft agreement providing for the apprehension of enemy aliens in the Canal Zone, the Philippine Islands, and Hawaii by the Army is legal. My concurrence is indicated by my initials on the basic memorandum.

Allen W. Gullion,
Major General,
The Judge Advocate General.

1 Incl.
Disposition Form fr.
Asst. Ch. Staff, G-1,
w/incls.

REC'D. G-1 MAY 13 1941

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WAR DEPARTMENT
WAR DEPARTMENT GENERAL STAFF
MILITARY INTELLIGENCE DIVISION G-2
WASHINGTON

G-2/2023-753

June 17, 1941

MEMORANDUM FOR THE CHIEF OF STAFF:

Subject: Dual Citizenship.

I. Discussion.

1. The Army is confronted with a very real problem in the fact that well over 1,000 Americans of Japanese ancestry have been inducted into the military service. Congressional action is needed to solve this problem.

2. a. The Military Intelligence Division has been considering the most effective procedure that could be applied in making the best use of these Japanese-Americans.

b. The question of dual citizenship arose immediately and it became apparent that this "double nationality" should be done away with in the interest of National Defense. (For an explanation of Japanese dual citizenship see Tab 1.)

3. The Nationality Act of 1940 has combined and consolidated all the previous laws passed in regard to nationality. Considerable progress was made toward clarifying the nationality status of many individuals in our country but, for various reasons, the question of dual citizenship was left unsolved. The attached amendments (See Tab 2) are proposed in the hope that at least a basis for the solution of the problem can be established.

4. The Judge Advocate General's Office (Lieutenant Colonel A. L. Lerch), the Department of Justice (Messrs. L. M. C. Smith, Joseph L. Prendergast, R. Keith Kane and Ward Allen) and the State Department (Messrs. R. W. Flourney and G. S. Knight) have been consulted and are in agreement that steps should have been taken long ago to clear up the dual citizenship problem—a problem which is a serious one in this time of Unlimited National Emergency.

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II. Action recommended.

That the proposed attached amendments to the Nationality Act of 1940 (Tab 2) be approved for submission to the Congress for enactment into law.

III. Concurrences.

A. C. of S., G-1 (W.HH) JUL 2 1941
A. C. of S., WPD (L.G) JUL 1 1941
J. A. G. (Holly) As to legal aspects (see memo).

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OCT 2 1941
Received

C. H. MASON,
Colonel, General Staff,
Acting Assistant Chief of Staff, G-2.

2 Incls.:
Tab 1—Japanese Dual Citizenship.
Tab 2—Amendments to Nationality Act of 1940.

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JAPANESE DUAL CITIZENS

1. Until 1916 Japan did not recognize expatriation of her sons and daughters who acquired foreign citizenship, excepting those females who married foreign subjects. The result was that Japanese who legally became American citizens (by birth) still figured on Japanese census registers and stood in the peculiar status of double nationality. A change in the Japanese law was made in August 1916 and again in December 1924 making it possible for Japanese citizens of the United States, Argentina, Brazil, Canada, Chile or Peru to be expatriated.

2. It is to be noted that those American or Canadian-born Japanese boys not yet expatriated are still technically liable to the Japanese conscription law so that the crux of the "double nationality" question remains unsolved. On June 30, 1939 there were 73,286 dual citizens of Japanese parentage in the Hawaiian Islands alone. This represents 17.66% of the total population of the Islands at that time. It is estimated that there has been little change in these figures since that date.

3. While there are many Americans of Japanese ancestry who are anxious to have their status clarified there are others who are just as anxious to keep their status as vague and as clouded as possible.

4. Americans of Japanese ancestry, and in many cases dual citizens, are being included in the United States Army through the Selective Service Act. Evidence is quite clear that information gained by Japanese agents through both innocent activities and espionage activities is facilitated by the existence of dual citizens and dual citizenship.

5. Anything that can be done to break the ties—consular and governmental as well as traditional and ancestral—between Americans of Japanese ancestry and Japan will assist the people involved and be in the interest of our National Defense.

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A BILL

To amend the Nationality Act of 1940, approved October 14, 1940, for the clarification of the dual citizenship status of certain persons, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection 401 (f) of the Nationality Act of 1940 (Public, Numbered 853, Seventy-sixth Congress), be, and the same is hereby, amended by striking out the same and inserting the following in lieu thereof:

"(f) Making a formal renunciation of nationality before a diplomatic or consular officer of the United States in a foreign state, or before the clerk of any naturalization court, in such form as may be prescribed by the Secretary of State; or"

Sec. 2. That subsection 401 (h) of said Act be, and the same is hereby, amended by striking out the period and inserting the following in lieu thereof: "; or"

Sec. 3. That subsection (i) be, and the same is hereby, added to section 401 of said Act, as follows:

"(i) Refusing to take the formal oath of allegiance required by any of the provisions of section 401½, or taking such oath with any mental reservation or purpose of evasion, or willfully and knowingly swearing falsely therein."

Sec. 4. That a new section be, and the same is hereby, inserted in said Act, between sections 401 and 402, as follows:

"Sec. 401½. (a) Any national of the United States whether native-born or naturalized, who is considered, under the laws

of any other country, to be a citizen or subject of such counrty or to owe allegiance to such country or to any potentate or sovereign thereof, may be required by the Commissioner, if he has reasonable grounds to believe that such person recognizes the obligation of any such law as to him, either (1) to make a formal renunciation of his United States nationality before the clerk of any naturalization court upon a form to be prescribed, or (2) to take in open court in any naturalization court the formal oath of allegiance to the United States, in the form prescribed by subsection (b) of section 335, whichever such national elects.

(b) No national of the category described in subsection (a) of this section shall be admitted upon his voluntary application to the service of the United States, civil or military, until he shall have taken the formal oath of allegiance to the United States, in the form prescribed by subsection (b) of section 335.

(c) Every national of the category described in subsection (a) of this section who shall have been registered for the military service of the United States under the Selective Training and Service Act of 1940, as amended, shall, before being admitted to such service, be required to take the formal oath of allegiance to the United States, in the form prescribed by subsection (b) of section 335.

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(d) Every national of the category described in subsection (a) of this section who at the time of the approval of this Act is in the service of the United States, either civil or military, shall be required, as a condition to continuance in such service, within 90 days after the approval of this Act to take the formal oath of allegiance to the United States, in the form prescribed by subsection (b) of section 335: Provided, That such period may be extended in cases of emergency under rules and regulations to be prescribed by the Attorney General."

Sec. 5. That subsection 403 (a) of said Act be, and the same is hereby, amended by striking out the same and inserting the following in lieu thereof:

"Sec. 403. (a) Except as provided in subsections (f), (g), (h), and (i) of section 401, no national can expatriate himself, or be expatriated, under that section while within the United States or any of its outlying possessions, but expatriation shall result from the performance within the United States or any of its outlying possessions of any of the acts or the fulfillment of any of the conditions specified in section 401 if and when the national thereafter takes up a residence abroad."

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WAR DEPARTMENT
OFFICE OF THE JUDGE ADVOCATE GENERAL
WASHINGTON

JUN 21 1941

Military Affairs
JAG 014.33

MEMORANDUM for the Assistant Chief of Staff, G-2.

Subject: Dual Citizenship.

1. By disposition slip dated June 18, 1941, there was referred for recommendation or remark the inclosed memorandum for the Chief of Staff (G-2/2023-753), subject as above, dated June 17, 1941, transmitting a draft of proposed amendments to the Nationality Act of 1940 (Public, No. 853, 76th Cong.), with the recommendation that such amendments be approved for submission to the Congress with a view to their enactment into law.

2. The Judge Advocate General concurs in the inclosed memorandum and has so indicated by placing his initials in the space provided therefor. However, inasmuch as the proposed amendments are not limited in their application to military personnel, but are applicable generally to "dual citizenship" nationals of the United States, and for the reason that the administration of the Nationality Act of 1940 is vested in the Immigration and Naturalization Service of the Department of Justice, it is recommended that the War Department ascertain the views of the Attorney General on this matter before sponsoring the proposed legislation.

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For The Judge Advocate General:

Fred W. Llewellyn
Fred W. Llewellyn,
Colonel, J.A.G.D.,
Chief of Section.

Incl.-Memo CofS, 6-17-41,
w/incls.

G-2/2023-753 1st Ind.

G-2, War Department General Staff, Washington, D. C., June 28, 1941.
To: The Chief of Staff, War Department, Washington, D. C.

1. This Division, this date, secured the informal concurrence of the office of the Acting Attorney General as expressed through Messrs.

to me 11-13-41

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L. M. C. Smith, Chief of the Special Defense Unit, and Marshall Dimmock, Chief of Immigration and Naturalization Service.

SHERMAN MILES,
Brigadier General, U. S. Army,
Acting Assistant Chief of Staff, G-2.

Encl.--No change.

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WAR DEPARTMENT
OFFICE OF THE CHIEF OF STAFF
WASHINGTON

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July 10, 1941.

MEMORANDUM FOR THE DEPUTY CHIEF OF STAFF:

Subject: Dual Citizenship.

1. The Assistant Chief of Staff, G-2, with the informal concurrence of the Department of Justice, the State Department, the Assistant Chief of Staff, WPD, and The Judge Advocate General's Office, submits drafts of legislation which would force American citizens who are also citizens of other countries, such as Hawaiian-born Japanese, to elect which nation shall have their sole allegiance, and to take the steps necessary to make that election of record. This Branch concurs in the proposal.

2. G-2's memorandum does not discuss the possible reaction of other nations and a possible unfavorable attitude toward American citizens whom they also claim as citizens. However, Major Moore of G-2 tells me that the subject was discussed during the consideration of the legislation and that the feeling was that it would be a good thing if other nations took the same steps we propose to take.

3. Action recommended:

a. That the G-2 memorandum of June 17, 1941 (G-2/2023-753) be approved.

b. That the attached file including this memorandum be referred to G-2 for the preparation of the necessary communications to the Bureau of the Budget and to the Congress.

For ALBERT E. BROWN,
Colonel, General Staff Corps,
Chief, Budget and Legislative Planning
Branch.

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Incls.
G-2/2023-753 Memo for CoS,
6-17-41, w/Incls.;
Public No. 353, 76th Congress.

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WAR DEPARTMENT

WAR DEPARTMENT GENERAL STAFF

MILITARY INTELLIGENCE DIVISION G-2

WASHINGTON

BRIEF

War Department approval requested for legislation to clarify the status of Japanese dual citizens.

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WAR DEPARTMENT
OFFICE OF THE JUDGE ADVOCATE GENERAL
WASHINGTON

Military Affairs
JAG 014.33

AUG 11 1941

MEMORANDUM for the Chief of Staff.

Subject: Proposed amendments to the Nationality Act of 1940.

1. These papers were informally referred to this office on August 4, 1941, by a representative of the Office of the Deputy Chief of Staff (Col. R. H. Brennan, B & LPB), for preparation of a revised draft of bill to amend the Nationality Act of 1940 (Public, No. 853, 76th Cong.), designed to clarify and fix the status of persons occupying a "dual citizenship" status.

2. This office, by memorandum for the Assistant Chief of Staff, G-2 (JAG 014.33, June 21, 1941), concurred in the recommendation that the amendments as then proposed be approved for submission to the Congress, subject to ascertainment of the views thereon of the Attorney General, that official being charged with the administration of the Nationality Act of 1940. Informal concurrence of the Acting Attorney General has since been secured (1st Ind., G-2, G-2/2023-753, June 28, 1941).

3. A revised draft of the proposed bill is submitted herewith. Substantive differences between the tentative and the revised drafts are as follows:

a. The final proviso of proposed subsection 401½(d), viz.,

> "and Provided further, That if such person fails or refuses to take such oath he shall thereby lose his United States nationality and thereafter be deemed an alien for all purposes."

has been omitted from the revised draft as superfluous, for the reason that subsection 401(i) provides for loss of nationality by "Refusing to take the formal oath of allegiance required by the provisions of section 401½".

b. Proposed section 402½, viz.,

> "Sec. 402½. Any national of the United States, whether native-born or naturalized, who shall lose his nationality under the provisions of subsections (a), (b), (c), (d), (e), (f), or (i) of section 401, or under the provisions of section 401½, shall be deemed an alien for all purposes." (Underscoring supplied)

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has been omitted from the revised draft as superfluous, for the reason that, by definition, loss of United States nationality creates the status of alienage. If the inclusion of such section is deemed desirable, the words "this Act" should be inserted in lieu of the matter underscored.

For The Judge Advocate General:

E. C. McNeil,
Colonel, J.A.G.D.,
Assistant to The Judge Advocate General.

2 Incls. -
1-Memo. 7-10-41 fr. C/S w/incls.
2-Revised draft of bill.

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EXECUTIVE OFFICE OF THE PRESIDENT
BUREAU OF THE BUDGET
WASHINGTON, D. C.

SEP 12 1941

My dear Mr. Secretary:

I have the letter of August 14, 1941, from Colonel Browne, transmitting two copies of a draft of a proposed bill "To amend the Nationality Act of 1940, approved October 14, 1940, for the clarification of the dual citizenship status of certain persons, and for other purposes," together with two copies of proposed explanatory letters of transmittal to the Congress relative thereto.

By reason of the interests of the State Department and the Department of Justice in this proposal, their views were requested, and there are transmitted herewith copies of their letters, in which they suggest the desirability of certain amendments to the draft of bill.

One copy, each, of the draft of bill and the transmittal letters, are returned herewith, and you are advised that, if revised in accordance with the suggestions of the State Department and the Department of Justice, there would be no objection to the submission thereof to the Congress for its consideration.

Very truly yours,

John W. Blandford, Jr.
Assistant Director.

The Honorable,

The Secretary of War.

(Through Budget Officer,
War Department.)

Enclosures:
Copy of draft of bill.
Copy of each transmittal letter (2).
Copy of Justice's letter dated 8/26/41 on above subject.
Copy of State's letter dated 9/8/41 on same subject.

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August 26, 1941

Honorable Harold D. Smith
Director, Bureau of the Budget
Executive Office of the President
Washington, D. C.

My dear Mr. Smith:

This acknowledges your letter of August 18, concerning the enclosed legislative proposal submitted by the Secretary of War to amend the Nationality Act insofar as it applies to dual citizenship.

The Secretary of War calls attention to the grave problem arising out of the presence in Hawaii of a large number of Japanese who have a dual citizenship. The bill would make it possible to require a person who has a dual citizenship to make a formal election as between the two.

While I find no objection to the legislation, I have considerable doubt as to whether the serious implications arising out of the situation to which the Secretary of War refers are likely to be met in the manner proposed by the legislation. Espionage and Fifth Column activities are not likely to be eliminated or substantially reduced in such a simple manner.

Attention is called to the fact that there is a large number of persons living in the United States other than Japanese who have dual citizenship. There may be several million persons in tha class. The legislation would impose considerable additional burden on the Immigration and Naturalization Service in practically requiring a review of the status of every such person. Additional appropriations would be needed for that purpose.

Section 1 of the bill would empower the Secretary of State to prescribe the form of renunciation of nationality, which may be filed either before a diplomatic or

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consular office or before the clerk of a naturalization court. It is suggested that this provision be modified so as to repose this authority in the Attorney General, as all matters dealing with naturalization before the courts are handled by the Immigration and Naturalization Service of the Department of Justice.

Sincerely yours,

Attorney General

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DEPARTMENT OF STATE

WASHINGTON

In reply refer to
Le 130 (1940)/174

September 8, 1941

My dear Mr. Smith:

I have received Mr. Bailey's letter of August 18, 1941 requesting an expression of the views of this Department concerning a draft bill, prepared in the War Department, "To amend the Nationality Act of 1940, approved October 14, 1940, for the clarification of the dual citizenship status of certain persons, and for other purposes".

The proposed measure does not appear in the main to be objectionable, from the standpoint of this Department, but it is believed that certain changes and additions should be considered.

In the first place, it is believed that the measure should contain an express provision under which any person

The Honorable

Harold D. Smith,

Director, Bureau of the Budget.

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person who loses his American nationality under it would be subject to deportation from the United States to the foreign country of which he is a national. It does not seem expedient to have a law under which a person who has the nationality of a foreign country as well as that of the United States, and who is residing in this country, would be free to continue residing in the United States after having lost his American nationality by making a formal renunciation thereof or by refusing to take an oath of allegiance to the United States when called upon to do so. It may be true that in some cases it would be found impossible to deport such a person to the foreign country of which he is a national, but that is true with regard to any deportation provision. It would seem most objectionable to have any statutory provision which might be construed as countenancing the casting off of allegiance to the United States in the cases of persons who intend to continue to reside therein.

It would also seem desirable to state in the proposed measure that nationality of the United States shall not be lost under it by any person who has not reached the age of eighteen years. For this purpose subsection (b) of Section 403 might be amended by adding after the words,

"subsections

"subsections (b) to (g)" the following: "or (i)".

In view of the special importance of this measure, it would seem desirable that it should contain a provision concerning the issuance of rules and regulations for its administration. This seems especially desirable in view of the discretionary authority vested in the Commissioner of Immigration and Naturalization (or the official who takes his place) under Section 401 1/2 (a). It is suggested that a new subsection, (e), be added to Section 401 1/2 to the effect that the enforcement of this Section shall be subject to rules and regulations to be prescribed by the Attorney General, with the approval of the Secretary of State and the Secretary of War.

Sincerely yours,

(Signed) CORDELL HULL

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WAR DEPARTMENT

OFFICE OF THE JUDGE ADVOCATE GENERAL

WASHINGTON

Military Affairs
JAG 014.33

MEMORANDUM for the Assistant Chief of Staff, G-2.

Subject: Proposed amendments to the Nationality Act of 1940.

1. These papers were informally referred to this office on September 17, 1941, by a representative of the Office of the Assistant Chief of Staff, G-2 (Maj. Wallace H. Moore), for preparation of a revised draft of bill to amend the Nationality Act of 1940 (Public, No. 853, 76th Cong.), designed to clarify and fix the status of persons occupying a "dual citizenship" status, incorporating therein the amendments suggested by the State Department and the Department of Justice.

2. This office, by memorandum for the Chief of Staff (JAG 014.33, Aug. 11, 1941), submitted a draft of bill to amend the Nationality Act of 1940, supra. Upon submission to the Bureau of the Budget, the views of the State Department and the Department of Justice were requested. The War Department was advised by letter dated September 12, 1941, from the Bureau of the Budget, that if the draft of bill was revised in accordance with the suggestions of the State Department and the Department of Justice contained therein there would be no objection to the submission thereof to the Congress for its consideration.

3. A revised draft of the proposed bill is submitted herewith. Substantive differences between the draft as submitted with the memorandum of this office for the Chief of Staff, supra, and the revised draft are as follows:

a. Pursuant to the suggestion of the Attorney General, subsection 401(f) has been amended to empower the Attorney General, instead of the Secretary of State, to prescribe the form of renunciation of nationality.

b. Pursuant to the suggestion of the State Department, proposed section 401½ has been amended (1) by inserting subsection (b) providing that any person who loses his American nationality under the proposed act shall be deported from the United States to the foreign country of which he is a national and (2) by adding subsection (f) to the effect that the enforcement of section 401½ shall be subject to rules and regulations to be prescribed by the Attorney General, with the approval of the Secretary of State and the Secretary of War.

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c. Pursuant to the further suggestion of the State Department, subsection (b) of section 403 of the propcsed bill has been amended to provide that nationality of the United States shall not be lost under it by any person who has not reached the age of eighteen years.

For The Judge Advocate General.

cbmickelwait

C. B. Mickelwait,
Lieutenant Colonel, J.A.G.D.,
Chief of Section.

2 Incls. -
Memo for S/W, 9-15-41,
w/incls.
Draft of bill.

me 11-13-4

OCT 15 .

G-2/10996-147

The Speaker,

House of Representatives.

Dear Mr. Speaker:

There is enclosed herewith draft of suggested amendments to the Nationality Act of 1940 which the War Department recommends be enacted into law.

The purpose of the proposed legislation is to eliminate certain phases of the so-called Dual Citizenship problem.

The reasons for the passage of these amendments may be stated briefly as follows:

American-born Japanese boys are still liable to the Japanese conscription law.

Many Americans of Japanese ancestry are most anxious to have their status clarified; there are others who are just as anxious to keep their status as vague and as clouded as possible.

Americans of Japanese, Italian and German ancestry, many of whom are dual citizens are being included in the United States Army through the Selective Service Act.

Evidence is clear that the obtaining of information by agents of foreign governments through both innocent and espionage activities is facilitated by dual citizens and dual citizenship.

Anything that can be done to break the ties - consular and governmental as well as traditional and ancestral - between Americans of Japanese ancestry and Japan will assist not only our country but also the people who are dual citizens. The Nationality Act of 1940 has combined and consolidated all the previous laws passed in regard to nationality. Considerable progress was made toward clarifying the nationality status of many individuals in our country but, for various reasons, the question of dual citizenship was left unsolved. The amendments suggested are proposed in the hope that at least a basis for the solution of the problem can be established.

This legislation would not involve the expenditure of public funds.

mc 11-13-4

The Bureau of the Budget advises that there is no objection to the submission of this proposed legislation for the consideration of the Congress.

Respectfully,

HENRY L. STIMSON

Secretary of War.

1 Incl.
Draft of Bill.

DISPATCHED
OCT 2 1941
FROM A.G.O.

NOTED IN BUDGET AND LEGISLATIVE
PLANNING BRANCH, O. C. S.

Form 9-3-7-41

10/3/41
R.L.

OCT 1 1941
20-91-36 00

mc 11-13-41

Military Affairs
JAG 014.33

A BILL

To amend the Nationality Act of 1940, approved October 14, 1940, for the clarification of the dual citizenship status of certain persons, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection 401 (f) of the Nationality Act of 1940 (54 Stat. 1169) be, and the same is hereby, amended by striking out the same and inserting the following in lieu thereof:

"(f) Making a formal renunciation of nationality before a diplomatic or consular officer of the United States in a foreign state, or before the clerk of any naturalization court, in such form as may be prescribed by the Attorney General; or"

Sec. 2. That subsection 401 (h) of said Act be, and the same is hereby, amended by striking out the period and inserting the following in lieu thereof: "; or"

Sec. 3. That subsection (i) be, and the same is hereby, added to section 401 of said Act, as follows:

"(i) Refusing to take the formal oath of allegiance required by any of the provisions of section 401½, or taking such oath with any mental reservation or purpose of evasion, or willfully and knowingly swearing falsely therein."

Sec. 4. That a new section be, and the same is hereby, inserted in said Act, between sections 401 and 402, as follows:

"Sec. 401½. (a) Any national of the United States, whether native-born or naturalised, who is considered under the laws of any other country to be a citizen or subject of such country or to owe allegiance to such country or to any potentate or sovereign thereof, may be required by the Commissioner, if he has reasonable grounds to believe that such person recognises the obligation of any such law as to him, either (1) to make a formal renunciation of his United States nationality before the clerk of any naturalisation court upon a form to be prescribed, or (2) to take in open court in any naturalisation court the formal oath of allegiance to the United States, in the form prescribed by subsection (b) of section 335, whichever such national elects.

(b) Every national of the category described in subsection (a) of this section who either (1) makes a formal renunciation of his United States nationality, or (2) refuses to take the formal oath of allegiance to the United States as provided in this section, shall, in addition to aliens who are deportable under other provisions of law, upon warrant of the Attorney General be taken into custody and deported to the foreign country of which he is a national in accordance with and subject to the penalties provided by the Act of October 16, 1918 (40 Stat. 1012; United States Code, title 8, section 137), entitled 'An Act To exclude and expel from the United States aliens who are members of the anarchistic and similar classes', as amended.

(c) No national of the category described in subsection (a) of this section shall be admitted upon his voluntary application to the service of the United States, civil or military, until he shall have taken the formal oath of allegiance to the United States, in the form prescribed by subsection (b) of section 335.

(d) Every national of the category described in subsection (a) of this section who shall have been registered for the military service of the United States under the Selective Training and Service Act of 1940, as amended, shall, before being admitted to such service, be required to take the formal oath of allegiance to the United States, in the form prescribed by subsection (b) of section 335.

(e) Every national of the category described in subsection (a) of this section who at the time of the approval of this Act is in the service of the United States, either civil or military, shall be required, as a condition to continuance in such service, within 90 days after the approval of this Act to take the formal oath of allegiance to the United States, in the form prescribed by subsection (b) of section 335: Provided, That such period may be extended in cases of emergency under rules and regulations to be prescribed by the Attorney General.

(f) The enforcement of this section shall be subject to rules and regulations to be prescribed by the Attorney General, with the approval of the Secretary of State and the Secretary of War."

Sec. 5. That section 403 of said Act be, and the same is hereby, amended by striking out the same and inserting the following in lieu thereof:

"Sec. 403. (a) Except as provided in subsections (f), (g), (h), and (i) of section 401, no national can expatriate himself, or be expatriated, under that section while within the United States or any of its outlying possessions, but expatriation shall result from the performance within the United States or any of its outlying possessions of any of the acts or the fulfillment of any of the conditions specified in section 401 if and when the national thereafter takes up a residence abroad.

(b) No national under eighteen years of age can expatriate himself under subsections (b) to (g), inclusive, or (i) of section 401."

OCT 8-41

LUIGI CRISCUOLO

FIFTY BROADWAY, NEW YORK

TELEPHONE: WHITEHALL 4-3671
CABLES: CRISMONTE, NEWYORK

October 7, 1941

Honorable Henry L. Stimson
Secretary of War
Washington, D. C.

WAR DEPARTMENT
SECRETARY'S OFFICE

Dear Mr. Secretary:

I learn from today's newspapers that you have sent to Congress a draft of proposed legislation to eliminate complications of the "dual citizenship" problem which you claim facilitates espionage. This is a question which concerns millions of loyal Americans of foreign origin. The implications in your bill are to be considered a direct reflection upon the loyalty of these Americans, who were either naturalized by their own application or by the application of their parents. Minor persons who were naturalized by the act of their parents did not have to take any oath of allegiance because such was not required, unless they joined the army or navy or were elected or appointed to public office. But how can anyone not in the aforesaid class be deemed to owe any allegiance to <u>any foreign power</u> merely because of an act of said foreign power in claiming that all persons born on its territory, even if naturalized citizens of the United States, are still subjects of that foreign power, unless such naturalized citizen shall have sworn allegiance to that foreign power at some time after such naturalized citizen reached his maturity?

In the war of 1914-18, many persons of Italian origin who were subject at that time to military service under Italian laws took the option of serving in the United States military forces, and did so. Can the loyalty of such persons be impeached now, simply because they happened to have been born in Italy, and in spite of their subsequent naturalization either by their own act or the act of their parent?

Your plans in connection with the new legislation, serve to cast severe reflections upon the loyalty of millions of persons of foreign origin, who are loyal American citizens, many of whom are now serving in the armed forces of the United States. I doubt very much that your action in this connection is in the best interests of the defense program of the United States and believe it will only serve to accentuate the hysteria that prevails against all persons of foreign origin, unless the wrongful impressions created by your proposal are immediately corrected by public statements on your part.

Yours very truly,

Chairman, Italian Division
Liberty Loan Committee, 1917-1918.

Acted in P. H. & L. Section
Legislative Clerk 1057
Executive Division
dlk 10/15/41

12 AGO
OCT 8 1941
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RECEIVED
OCT 9 1941
MISCL. DIV.
A. G. O.

mc 11-13-41

ocs/20591-41

C O P Y

Redmond & Co. - 1911-1918
Merrill Lynch & Co. 1919-1935
1936 to now - Independent

Re/ Luigi Criscuolo
50 Broadway, New York

Chairman of the Board, Merchants' National Properties, Inc., New York.
Assets $3,300,000.
President, Midland Building Corporation, Chicago, Assets $1,150,000.
Original Value $5,000,000.
Director, A. Hollander & Son, Inc., Newark, N.J., Assets $3,000,000.

Former Director or Committee Member:

McCrory Stores Corporation	New York
Davega Stores Inc.	New York
Dayton Biltmore Hotel	Dayton, Ohio
Morgan Engineering Company	Alliance, Ohio
N.Y. Westchester & Boston Ry.	New York
Schulte Retail Stores Corp.	New York
Panhandle Producing & Ref. Co.,	Wichita, Texas

1917--At request of the U.S. Treasury Department addressed the first national appeal to Italian-Americans to buy Liberty Bonds.
1917--Formed first Italian Division of the Liberty Loan Committee; became Chairman of the Committee and continued in 1918. These activities resulted in Italian subscriptions of over $850,000,000, according to U.S. Treasury.
1917--Laid foundation for Italy America Society. Decorated by the King of Italy, motivation reading "Founder of the Italy America Society."
1917--Wrote many articles in New York newspapers on Italy's part in the Great War, urging Italo-American co-operation to the war effort of the U.S. and our Allies.

For many years a writer on Italian affairs, American finance, American industry, international politics.

Represented the Kingdom of Montenegro as Honorary Minister Plenipotentiary in the period 1920 to 1924 and revived the Montenegrin question at the League of Nations after it had been buried. Kept the question alive for a decade until it was impossible to do more.

Decorated by the Vatican with one of the highest decorations, Grand Officer of the Equestrian Order of the Holy Sepulchre of Jerusalem. Grand Secretary of the American Chapter.

Grand Cross of the Order of St. Lazare of Jerusalem, Knight of the Constantinian Order of St. George, Knight of the Order of Our Lady of Mercy, Knight of the Order of the Crown of Italy, Cross of Loreto, Lateran Cross, etc.

Vice Pres.-Marconi Memorial Foundation Inc. which is erecting a $35,000 monument to William Marconi, in Washington, D.C.

Member-Commission on Citizenship, Catholic University of America, Washington, D.C.
Member-National Republican Club, N.Y. and Bankers Club, N.Y.

See: WHO'S WHO IN AMERICA, etc.

MS 11-13-41

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AGO ~~911.33~~ (10-7-41)
MID 201 Criscuolo, Luigi (Mr.)

G2/I
RSB

OCT 17 1941

Mr. Luigi Criscuolo,
50 Broadway,
New York, New York.

Dear Mr. Criscuolo:

This is to acknowledge your letter of October 7, 1941, in which you make adverse comment on a Bill (S. 1949) to amend the Nationality Act of 1940, approved October 14, 1940, for the clarification of the dual citizenship status of certain persons, and for other purposes.

Since it is apparent that the opinions expressed in your letter were based on newspaper descriptions of the proposed Bill rather than on the Bill itself, I am enclosing a copy of the proposed legislation for your information.

As you can see, the purpose of the Bill is to promote national unity, and thus further the ends of national defense in this time of emergency.

It casts no reflection upon loyal Americans. You will note that taking the oath of allegiance is obligatory only for those dual citizens who are in the service of the Government, except in certain cases where the Commissioner of Immigration and Naturalization "has reasonable grounds to believe" that a dual citizen recognizes the obligation of the laws of a foreign country as to him. Other dual citizens are afforded the opportunity to make an official choice as to their citizenship and allegiance.

No loyal American can take exception to any part of this proposed legislation, and it is hoped that all such who were born in this country of alien parents will seize this opportunity to make known, officially, their undivided loyalty and allegiance to our country.

Sincerely yours,

DISPATCHED
OCT 17 1941
FROM A.G.O.

HENRY L. STIMSON

Secretary of War.

NOTED IN BUDGET AND LEGISLATIVE PLANNING BRANCH, O. C. S.
OCT 17 1941

OUT

OUT

1 Encl.
(Bill S. 1949)

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OFFICE OF CHIEF OF STAFF

mc 11-13-41

FILE OCT 27 1941

OCS/20591-41

(10-7-41)

ACCOUNTS & A.R. DIV. WAR

LUIGI CRISCUOLO

FIFTY BROADWAY, NEW YORK

TELEPHONE: WHITEHALL 4-3671
CABLES: CRISMONTE, NEWYORK

Criscuolo, Luigi #2.

OCT 20 1941

October 18, 1941

RECEIVED
OCT 22 1941
MISCL. DIV.
A. G. O.

Hon. Henry L. Stimson
Secretary of War
Washington, D. C.

My dear Mr. Secretary:

I thank you for your letter of the 17th together with a copy of ~~S1949~~ which I have read carefully. Upon due consideration of the facts therein, I see no reason why any American citizen of foreign origin, who may be placed in an equivocal position by reason of certain laws of his native country, should object to taking an oath of allegiance upon going into the service of the Government. In fact, I would see no reason for any citizen being required to take such an oath, provided there were good reasons for the same and provided there was no "hysteria" accompanying such an act on his part.

I believe the Government should do everything in its power to obtain the co-operation of people of foreign origin, whether citizens or not, and I am sure that all such people who are residents of the United States appreciate the benefits of being a part of this Nation, and will do everything they can to co-operate in the defense program.

However, I am very much disappointed at the methods adopted by various Government Departments in their choice of citizens for important posts on the theory that such citizens represent or have great weight with certain of the "foreign language" groups. Many of us who rendered distinguished services in the last war in one form or another, are being totally ignored by the Government, in some cases, because when the United States was at peace with Italy, for example, some of us have worked for the maintenance of friendly relations between the two countries.

It seems the only people of Italian origin who are being asked to co-operate in the Defense Program are anti-Fascists who have only recently become citizens and who were traitors to their native country before they adopted citizenship. (This topic is the subject of a letter which I wrote to the Hon. Joseph Clark Baldwin III, member of Congress from my District, which was published in the CONGRESSIONAL RECORD--APPENDIX of October 15th, pages A4962 and A4963. I believe you will be interested in reading my remarks on the subject.) I do not believe that such people should have ever been granted citizenship because I would not trust a traitor even though he offered to join me in whatever I was trying to do.

I wonder how many civilians of Italian origin have been asked to co-operate in the work of the War Department in one capacity or another. Assuring you of my hearty desire to be of service in the cause of National Defense, I beg to remain,

Sincerely yours,

A. G. O.
OCT 21 1941
RECEIVED

CORRESPONDENCE AND RECORD DIV.
OFF. SEC. WAR

OCL 205 91-41 B

CONFIDENTIAL

WAR DEPARTMENT
WAR DEPARTMENT GENERAL STAFF
PERSONNEL DIVISION G-1
WASHINGTON

G-1/15182-11

June 20, 1941.

MEMORANDUM FOR THE CHIEF OF STAFF:

Subject: Joint Agreement between the Secretary of War and the Attorney General respecting Internment of Alien Enemies.

I. Discussion.

1. The affixing of signatures by the Secretary of War and the Attorney General to the attached Joint Agreement will complete the planning phase on matters pertaining to the question of internment of alien enemies. The phase which will follow will constitute the operation phase in the premises.

2. The Attorney General in his attached letter of transmittal expresses the view that the Advisory Committee provided for in paragraph 14, page 5 of the Joint Agreement should be appointed without delay.

3. The Personnel Division believes that the proper agency to represent the War Department during the operating phase of the problem is the office of the Provost Marshal General, which office, in the opinion of this Division, should be organized without delay so as to prepare for immediate operation in the event of the development of a situation more critical than now exists.

4. The War Department Alien Enemy Committee headed by officers of this Division, together with the Alien Enemy Committee representing the Attorney General's office, prepared the attached Joint Agreement which, in substantially the same form, was approved by the Secretary of War on May 26, 1941. (See Tab 1).

II. Action recommended.

1. That the attached Joint Agreement be signed by the Secretary of War.

2. That consideration be given by the Assistant Chief of Staff, G-1 to the immediate organization of the office of the

SECRET UNCLASSIFIED CONFIDENTIAL RESTRICTED
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(14-2-9)

Provost Marshal General and all records and files pertaining to matters concerning alien enemies be transferred to that office when established.

3. That pending the organization of the office of the Provost Marshal General, the Personnel Division continue to represent the War Department in respect to the Committee provided for in paragraph 14 of the Joint Agreement.

4. That the attached letter prepared for the signature of the Secretary of War be signed and dispatched.

III. Concurrences.

Assistant Chief of Staff, G-2 (S.M.R.Cg)
" " " " G-3 ( ) JUN 20 1941
" " " " G-4 ( ) JUN 21/41 OUT 6/24/41
JUN 28 1941 " " " " WPD ( ) JUN 24 1941

APPROVED
By order of the Secretary of War
G. C. MARSHALL
Chief of Staff

BY R. N. YOUNG
Major, G.S.C., Asst. Sec. W.D.G.S.

WADE H. HAISLIP,
Brigadier General,
Assistant Chief of Staff.

JUN 24 1941
2-12-27-13

47 A G O
JUN 28 1941
Received

4 Incls.
Drft. of ltr. to A/G for sig. S/W w/incl. (Joint Agreement).
O.C.S. Disp. Sl. #21227-13 d. 6-11-41.
Ltr. to S/W d. 5-29-41 fr. the A/G w/incl.
JAG Memo for AC/S,G-1 d. 5-12-41 w/incls.

JUN 2[illegible] 1941

WAR DEPARTMENT
OFFICE OF CHIEF OF STAFF

NOTED-CHIEF OF STAFF

NOTED - DEPUTY CHIEF OF STAFF

ACTION TAKEN: Ltr. to Attorney General dispatched in AGO 6-28-41.

ACW/rlc

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G-1/15182-11

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JUN 27 1941

CONFIDENTIAL

The Honorable,

The Attorney General.

Dear Mr. Attorney General:

Acknowledging receipt of your letter of May 29, 1941, in which you inclosed a memorandum containing recommendations of representatives of the Department of Justice and the War Department for cooperation respecting the internment of alien enemies with the comment that such agreement meets with your approval, I am happy to inform you that such recommendations meet with my approval and I have affixed my signature to a Joint Agreement prepared in duplicate embodying such recommendations.

Dispatched in
6-28-41.
ACW/rlc

The agreement is attached hereto, and your signature on one copy for file in the records of the War Department is requested.

In reference to the Committee for cooperation between the War Department and the Department of Justice provided for in paragraph 14 of the Joint Agreement, I concur in your views that such Committee should be appointed without delay. I also concur in the suggestion that this Committee should consist of two representatives from the Department of Justice and two representatives from the War Department, and in addition, three civilians.

I am prepared to designate the War Department representatives. Your suggestion as to civilian representatives would be helpful.

Sincerely yours,

(Signed) ROBERT P. PATTERSON

Acting Secretary of War.

Reg. No. 220114, 6-28-41

Incl.
Joint Agreement.
(Duplicate by special messenger 7-3-41.)

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COPY FOR
THE ADJUTANT GENERAL

CONFIDENTIAL

RECORDED C & R DIV.

Office of the Attorney General
Washington, D. C.

July 18, 1941

The Honorable

The Secretary of War.

My dear Mr. Secretary:

This will acknowledge receipt of your letter dated June 27, 1941, enclosing an agreement incorporating the recommendation of the War Department and this Department, respecting the internment of alien enemies, with the signature of the Acting Secretary of War affixed. I generally approve of the agreement and have therefore executed it and am returning it herewith.

However, I call your attention to the fact that certain details of the agreement are necessarily somewhat tentative at this time, particularly as they concern the internal administration of this Department, and will have to be more fully worked out. It may be deemed wiser, for instance, to have the examination of aliens temporarily detained made by local boards of which the United States Attorney would ex-officio be a member, rather than solely by the United States Attorney. In certain localities, it would probably be advisable to have representatives of the Immigration Service sit on such boards. Also, in certain communities, such as New York, the facilities of the Immigration Service perhaps could be used with greater advantage for temporary detention than the Federal prisons.

Paragraph 14(c) apparently contemplates that custody and control of the permanent detention camps, including their operation, will eventually be taken over by the Department of Justice. I note that the locality of the three major camps is placed in the southeast, the middle south and the southwest. However, because of information now coming into our possession which will be available in the course of a few weeks, I suggest that a further study of the locality of the camps be made by the two departments, taking into consideration the geographical distribution of the aliens. Of course, the locality of the camps must also largely depend on practical considerations and construction convenience. In this connection, it is possible that the Bureau of Prisons might arrange for the necessary facilities.

146 EA 010.311

(14-8-41)

All of these matters can be clarified, I presume, as the result of recommendations made by the committee designated in paragraph 14 of page 5 of the agreement, and approved by you as Secretary of War, and by the Attorney General. In this connection, I should like, if possible, to have the committee enlarged to permit the inclusion, in addition to our two representatives, of a representative of the Immigration Service. The experience of the Immigration Service in determining policies coming before the committee, would, I think, be valuable.

Pending the completion of the appointment of this Committee, Mr. Lawrence M. C. Smith, Chief of the Special Defense Unit, will continue to represent this Department in the matter.

Sincerely yours,

Francis Biddle

Acting Attorney General

JUL 19 1941

WAR DEPARTMENT
ADMINISTRATIVE ASSISTANT

146-27-8 SJ

DJS/21227-B

WAR DEPARTMENT
WAR DEPARTMENT GENERAL STAFF
MILITARY INTELLIGENCE DIVISION G-2
WASHINGTON

August 6, 1941

MEMORANDUM FOR BUDGET & LEGISLATIVE
PLANNING BRANCH, O.C.S.

Subject: S. 1401

Report on this bill was formerly submitted by staff study dated July 16, received in the Office of the Chief of Staff on July 18 (21023-4). Colonel Brennan called Major Crist to advise him that General Bryden objected to the inclusion of "chemicals" in the list of articles to be restricted. Study and report have now been rewritten. The description of explosives and explosive chemicals included in the substitute phraseology has been extracted from a bill drafted to regulate the manufacture, sale, distribution, use and possession of explosives, which was prepared for, and submitted to, the Federal-State Conference on Law Enforcement Problems of National Defense, under the sponsorship of the Department of Justice.

~~CONFIDENTIAL~~

WAR DEPARTMENT
WAR DEPARTMENT GENERAL STAFF
MILITARY INTELLIGENCE DIVISION G-2
WASHINGTON

MID 314.3/1
G2/10525-1261A

August 6, 1941

MEMORANDUM FOR THE CHIEF OF STAFF:

Subject: Proposed report on S. 1401.

I. Discussion.

1. The Chairman of the Military Affairs Committee of the Senate on May 2, 1941, requested the War Department to report on S. 1401, a bill to restrict the use of arms and other implements of war by aliens.

2. Information available in this Division, the Office of Naval Intelligence and the Federal Bureau of Investigation leads to the conclusion that acts of violence designed to hamper or delay the national defense program, involving the use of arms, ammunition, explosives, certain chemicals or military gas, are attempted or performed much more frequently by aliens than by citizens of the United States. The restriction of the possession and use of these materials should operate as a deterrent to the expressions of sabotage, espionage and Fifth-Column activity which involve the use of arms and explosives.

3. This Division concurs in the general intent of the bill but believes that the word "chemicals" as used in the bill might tend to prevent loyal and industrious aliens from carrying on the legitimate research and experimental work which many of them are now performing for commercial firms and for the Government. It is believed that the bill would be considerably improved by replacing the phrase,

"That it shall be unlawful for any alien residing within the United States, its Territories, or possessions, to bear, own, lease, conceal, buy, or sell any arms, ammunition, explosives, chemicals, military gas, or other implements of war."

THIS DOCUMENT LESS INCLOSURES
REGRADED UNCLASSIFIED
BY AUTH OF SEC ARMY BY TAG/9R-5

~~CONFIDENTIAL~~

~~CONFIDENTIAL~~

with the following:

"That it shall be unlawful for any alien residing within the United States, its Territories, or possessions, to bear, own, lease, conceal, buy, or sell any arms, ammunition, military gas, explosives, any chemical compound or any mechanical mixture containing any oxidizing and combustible units or other ingredients in such proportion, quantities, or packing that an ignition by fire, friction, concussion, percussion or detonation of any part of the compound or mixture may cause sudden generation of highly heated gases, or other implements of war."

(4) Preliminary legal research by this Division indicates that the Federal courts have in the past upheld the right of the government to restrict the use and possession of arms by aliens.

(5) The proposed legislation involves no appropriation or allotment of funds.

(6) This Division recommends enactment of the proposed legislation in the event it is altered to incorporate the change suggested in Paragraph 3 above.

II. Action recommended.

The Secretary of War directs:

1. That the attached letter to the Bureau of the Budget, enclosing two carbon copies of the proposed report on S. 1401, be signed by the Deputy Chief of Staff and dispatched.

2. That, in the event the Bureau of the Budget advises that there is no objection to the submission of the proposed report, the attached letter to the Chairman of the Military Affairs Committee of the Senate be signed by the Secretary of War and dispatched, after the appropriate budget paragraph has been added in the Budget and Legislative Planning Branch of the Office of the Deputy Chief of Staff.

For action see letter to Senate Committee 10/24/41

Sherman

SHERMAN MILES,
Brigadier General, U. S. Army,
Acting Assistant Chief of Staff, WPD-2.

Enclosures:
Ltr. to B.O.B.
Ltr. to Chrmn. Mily. Affs.

AUG 8 1941
21023-4

WAR DEPARTMENT
OFFICE OF CHIEF OF STAFF

THIS DOCUMENT LESS INCLOSURES
REGRADED UNCLASSIFIED
ORDER SEC ARMY BY TAG/9R-5

~~CONFIDENTIAL~~

BUDGET AND LEGISLATIVE PLANNING BRANCH
OFFICE OF DEPUTY CHIEF OF STAFF

SUBJECT: S. 1401 - To restrict the use of arms and other implements of war by aliens.

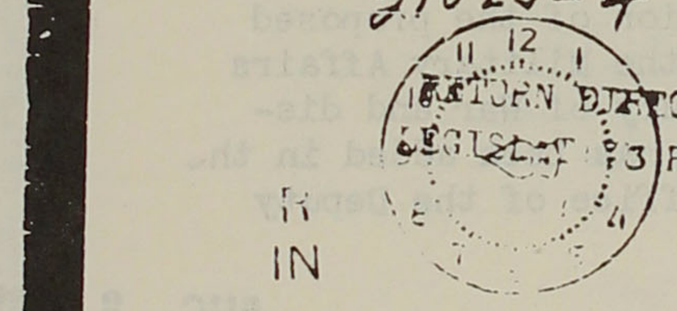
TO—	No. 10484	DATE
.....	Assistant Secretary of War	.....
.....	A. C. of S., G-1	.....
.....	A. C. of S., G-2	.....
.....	A. C. of S., G-3	.....
.....	A. C. of S., G-4	.....
.....	A. C. of S., W. P. D	.....
.....	The Adjutant General	.....
.....	Budget Officer, W. D	.....
x	Secretary, G. S	8-8-41

FOR:

☐ Study and preparation of reply.
☐ Signature, Secretary of War.
☐ Note and return .....
☐ Comment or concurrence.

x Signature, Deputy Chief of Staff.

AUG 8 1941
21023-4



R
IN

WAR DEPARTMENT
OFFICE OF
ALBERT E. BROWN,
Brig.Gen., ~~Colonel~~, General Staff,
Chief, B. and L. P. Branch.

GPO 16—9928

WAR DEPARTMENT
OFFICE, SECRETARY, GENERAL STAFF

DISPOSITION SLIP

Subject of paper: S. 1401

To	TALLY No. 21023-4	DATE
.....	Office, The Ass't Sec. of War	[illegible]
.....	Adm. Ass't S/W	
.....	A. C. of S., G-1	AUG 13 1941
.....	A. C. of S., G-2	
.....	A. C. of S., G-3	
.....	A. C. of S., G-4	A.G.O.
.....	A. C. of S., W. P. D	
.....	The Adjutant General	
✓	Budget & Legislative Planning Branch	8/13
.....	Statistics Branch	
.....	Executive for Reserve Affairs	
✓	JAG	8/13

For—

..... Necessary action. ..... Draft of reply.
..... Preparation of study. ..... Direct reply.
..... Note and return. ..... Note and file.
..... Remark and recommendation. ..... File.
..... Comment or concurrence. ..... Signature.
..... Inviting attention to {notation / direction} of Sec. War ___ D. C. of S.

Would this bill restrict foreign purchasing commissions? Pushing carried by Gen. Burden.

By direction of D. C. of S.: MD 2

M.D. Taylor
Major, General Staff
Asst. Secretary, General Staff

WAR DEPARTMENT
D. C. or S.—Form No. 3—10-18

~~CONFIDENTIAL~~

WAR DEPARTMENT

OFFICE OF THE JUDGE ADVOCATE GENERAL

WASHINGTON

Military Affairs
JAG 014.31

AUG 19 1941

MEMORANDUM for the Chief of Staff.

Subject: S. 1401 - To restrict the use of arms and other implements of war by aliens.

1. By disposition slip (Tally No. 21023-4) dated August 13, 1941, opinion was requested whether bill S. 1401, 77th Congress, would restrict foreign purchasing commissions.

2. S. 1401 would make it unlawful -

"* * * for any alien residing within the United States, its Territories, or possessions, to bear, own, lease, conceal, buy, or sell any arms, ammunition, explosives, chemicals, military gas, or other implements of war."

In a memorandum to the Chief of Staff (G 2/10525-1261 A) dated August 6, 1941, it was stated that it was believed that the bill would be considerably improved by replacing the above-quoted language with the following:

"That it shall be unlawful for any alien residing within the United States, its Territories, or possessions, to bear, own, lease, conceal, buy, or sell any arms, ammunition, military gas, explosives, any chemical compound or any mechanical mixture containing any oxidizing and combustible units or other ingredients in such proportion, quantities, or packing that an ignition by fire, friction, concussion, percussion or detonation of any part of the compound or mixture may cause sudden generation of highly heated gases, or other implements of war."

It is noted that the recommended change in wording relates only to the description of the implements of war in question, and that otherwise the wording of the suggested change is identical with that of the bill now pending.

3. The construction of any statute and the extent of its effect are matters for determination, in the last analysis, by the judicial branch. However, there are certain general rules of construction which may be applied to a given statute in order to reach administrative conclusions as to its probable application. The term "alien" has been defined by the Federal statute governing immigration and residence of aliens to include,

THIS DOCUMENT LESS INCLOSURES
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~~CONFIDENTIAL~~ AG/9R-5

for the purposes of that statute, any person not a native-born or naturalized citizen of the United States, but not to include citizens of certain islands under the jurisdiction of the United States (act Feb. 5, 1917, 39 Stat. 874, 8 U.S.C. 173). The word "residing", when used in statutes, is generally construed in the sense of "legal residence"; that is to say, the place of domicile or permanent residence as distinguished from temporary residence (54 C. J. 704). However, the courts are by no means unanimous in applying this construction. The construction placed upon the word varies with the legislative intent which appears from a consideration of each statute as a whole. Accordingly, in many instances, courts have construed "residing" in the sense of mere presence in the territory to which the statute relates. The term "person", in its primary sense, means only a natural person, but the term is a broad one and the sense in which it is used in any particular instance must generally be ascertained from the context and the intent with which it is employed (48 C. J. 1038). It is possible, therefore, that the courts when called upon to construe the language of the proposed legislation would conclude that its text, taken as a whole, indicates a legislative intent to prohibit all aliens within "the United States, its Territories, or possessions", whether "legal residents" therein or not, including members of foreign purchasing commissions, from engaging in any of the proscribed activities.

4. In view of the foregoing, it is the opinion of this office that bill S. 1401, in its present form or the above-mentioned revision thereof, if enacted without further amendment, would be susceptible of such a construction as to restrict foreign purchasing commissions in this country. Accordingly, it is believed that further revision would be necessary in order to insure that such foreign purchasing commissions will be excluded from the operation of the bill.

For The Judge Advocate General:

E. C. McNeil,
Colonel, J.A.G.D.,
Assistant to The Judge Advocate General.

Incls.-
Disp. slip,
8/13/41 w/incls.

THIS DOCUMENT LESS INCLOSURES
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ORDER SEC ARMY BY TAG/9R-5

~~CONFIDENTIAL~~

WAR DEPARTMENT
WAR DEPARTMENT GENERAL STAFF
MILITARY INTELLIGENCE DIVISION G-2
WASHINGTON

MID 014.311 August 26, 1941

MEMORANDUM FOR THE CHIEF OF STAFF:

Subject: Proposed report on S. 1401.

1. Discussion.

1. The Chairman of the Military Affairs Committee of the Senate on May 2, 1941, requested the War Department to report on S. 1401, a bill to restrict the use of arms and other implements of war by aliens.

2. Information available in this Division, the Office of Naval Intelligence and the Federal Bureau of Investigation leads to the conclusion that acts of violence designed to hamper or delay the national defense program, involving the use of arms, ammunition, explosives, certain chemicals or military gas, are attempted or performed much more frequently by aliens than by citizens of the United States. The restriction of the possession and use of these materials should operate as a deterrent to the expressions of sabotage, espionage and Fifth-Column activity which involve the use of arms and explosives.

3. This Division concurs in the general intent of the bill but believes that the word "chemicals" as used in the bill might tend to prevent loyal and industrious aliens from carrying on the legitimate research and experimental work which many of them are now performing for commercial firms and for the Government. It is believed that the bill would be considerably improved by replacing the phrase,

"That it shall be unlawful for any alien residing within the United States, its Territories, or possessions, to bear, own, lease, conceal, buy, or sell any arms, ammunition, explosives, chemicals, military gas, or other implements of war."

THIS DOCUMENT LESS INCLOSURES
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BY TAG/9R-5

~~CONFIDENTIAL~~

with the following:

"That it shall be unlawful for any alien residing within the United States, its Territories, or possessions, to bear, own, lease, conceal, buy, or sell any arms, ammunition, military gas, explosives, any chemical compound or any mechanical mixture containing any oxidizing and combustible units or other ingredients in such proportion, quantities, or packing that an ignition by fire, friction, concussion, percussion or detonation of any part of the compound or mixture may cause sudden generation of highly heated gases, or other implements of war."

4. On August 19, 1941, the following opinion was expressed by the Office of the Judge Advocate General:

"In view of the foregoing, it is the opinion of this office that bill S. 1401, in its present form or the above-mentioned revision thereof, if enacted without further amendment, would be susceptible of such a construction as to restrict foreign purchasing commissions in this country. Accordingly, it is believed that further revision would be necessary in order to insure that such foreign purchasing commissions will be excluded from the operation of the bill."

It is therefore recommended that the following phrase be added to Section 1 of the proposed bill:

"Provided, That nothing in this Act shall be construed to limit the activities of purchasing commissions of foreign governments, when such commissions are duly registered with the Department of State."

5. Preliminary legal research by this Division indicates that the Federal courts have in the past upheld the right of the government to restrict the use and possession of arms by aliens.

6. The proposed legislation involves no appropriation or allotment of funds.

7. This Division recommends enactment of the proposed legislation in the event it is altered to incorporate the changes suggested in Paragraphs 3 and 4 above.

THIS DOCUMENT LESS INCLOSURES
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ORDER SEC ARMY BY TAG/9R-5

II. Action recommended.

The Secretary of War directs:

1. That the attached letter to the Bureau of the Budget, enclosing two carbon copies of the proposed report on S. 1401, be signed by the Deputy Chief of Staff and dispatched.

2. That, in the event the Bureau of the Budget advises that there is no objection to the submission of the proposed report, the attached letter to the Chairman of the Military Affairs Committee of the Senate be signed by the Secretary of War and dispatched, after the appropriate budget paragraph has been added in the Budget and Legislative planning Branch of the Office of the Deputy Chief of Staff.

For action see letter to Senate Committee 10/24/41

Herman Miles

SHERMAN MILES,
Brigadier General, U. S. Army,
Acting Assistant Chief of Staff, G-2.

Enclosures:
Ltr. to B.O.B.
Ltr. to Chrmn. Mily. Afrs. Comm.

AUG 30 1941
NOTED-OFFICE CHIEF OF STAFF

AUG 29 1941
21023-4

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CHIEF OF STAFF

THIS DOCUMENT LESS INCLOSURES
REGRADED UNCLASSIFIED
ORDER SEC ARMY BY TAG/9R-5

WAR DEPARTMENT
WAR DEPARTMENT GENERAL STAFF
MILITARY INTELLIGENCE DIVISION G-2
WASHINGTON

August 26, 1941

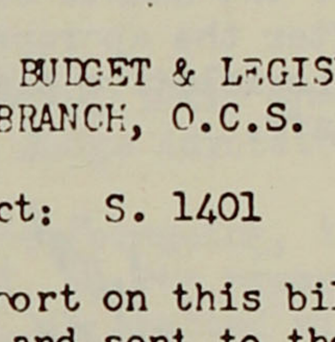
MEMORANDUM FOR BUDGET & LEGISLATIVE
PLANNING BRANCH, O.C.S.

Subject: S. 1401

Second report on this bill was dated August 6 and sent to the Office of the Chief of Staff on August 7. On August 13 the Deputy Chief of Staff transmitted the proposed report to the Judge Advocate General for opinion as to whether or not the proposed bill would restrict foreign purchasing commissions. On August 19 the JAG advised by formal memorandum that the bill without further amendment might be construed to restrict the activities of foreign purchasing commissions. On August 20 the General Staff sent the papers back to G-2 with request for revision.

AUG 29 1941

IN



B. & L. P. Branch

AG 014.31
WD 014.311

AUG 30 1941

Honorable Harold D. Smith,
Director, Bureau of the Budget,
Washington, D. C.

Dear Mr. Smith:

The Secretary of War requests advice as to whether there is any objection to the submission to Congress of the inclosed report on S. 1401, a bill to restrict the use of arms and other implements of war by aliens.

The War Department regards the intent of the proposed legislation in a favorable manner, but believes that the changes suggested in the inclosed report are necessary to prevent the bill from operating to the detriment of legal and industrious aliens who are carrying on work of vital importance to the national defense program, and accredited foreign purchasing commissions.

Sincerely yours,

21023-4

[illegible]
Deputy Chief of Staff.

NOTED IN BUDGET AND LEGISLATIVE
PLANNING BRANCH, O. C. S.
Rec'd 8-29-41
2 Carbons dispatched thru
BOWD by B&LP Br 9-2-41.

1 Incl.
Proposed report.

DISTRIBUTION:
1 Secretary of War
1 Office of Chief of Staff
1 Director, Bureau of the Budget
1 Budget Officer for the War Department

[illegible]

EXECUTIVE OFFICE OF THE PRESIDENT
BUREAU OF THE BUDGET
WASHINGTON, D. C.

SEP 9 1941

My dear Mr. Secretary:

I have the letter of August 30, 1941, from Deputy Chief of Staff Bryden, transmitting two copies of a proposed report to the Chairman of the Senate Committee on Military Affairs, relative to S. 1401, a bill "To restrict the use of arms and other implements of war by aliens."

There are enclosed herewith for your information copies of the reports of the Navy Department and the Treasury Department unfavorable to the enactment of the proposed legislation, in connection with which they were advised by this office that there would be no objection to the submission of their reports to the Committee.

One copy of your proposed report is returned herewith, and while there would be no objection to your submitting such report on the bill as you may deem appropriate, it is not believed that the enactment of the proposed legislation should be considered as being in accord with the program of the President.

Very truly yours,

[redacted]

Director.

The Honorable,

The Secretary of War.

(Through Budget Officer,

War Department.)

Enclosures:
Copy of War's proposed report on S. 1401.
Copy of Navy's proposed report on S. 1401.
Copy of Treasury's proposed report on S. 1401.

[redacted]

005/21023-4

CONFIDENTIAL

August 11, 1941.

The Honorable,

The Attorney General.

Dear Mr. Attorney General:

With reference to subparagraph 14 of the second paragraph of the "Joint Agreement of the Secretary of War and The Attorney General respecting Internment of Alien Enemies", dated July 16, 1941, I have designated the following named officers as War Department representatives on the Committee:

Major General Allen W. Gullion, The Provost Marshal General.
Major Karl R. Bendetsen, J.A.G.D., Chief of Aliens Section,
Office of the Provost Marshal General.

Although the agreement does not contemplate the appointment of civilian members to the Committee except in the event of war, I believe that the assistance of such members would be helpful now. If you are in agreement with me, I shall nominate Mr. Jesse I. Miller, Attorney at Law, Woodward Building, Washington, D. C., as one of the advisory civilian representatives. Mr. Miller is a former member of the Judge Advocate General's Department and a veteran of the World War. He has consented to give his services for the purpose.

I shall be glad to be informed of the names of your representatives and, as heretofore indicated, I suggest that in addition to the members of your Department you also name some one to serve as an advisory civilian representative.

The Provost Marshal General informs me that there are a number of matters which should receive the early attention of the Committee.

Sincerely yours,

HENRY L. STIMSON,

Secretary of War.

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BY TAG PER
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FILE AUG 13 1941

Dispatched 8-12-41 by
messenger from P.M.G office M

Copy for The Adjutant General.

CONFIDENTIAL

8-12-41

RECORDED C & R DIV - WD

Office of the Attorney General
Washington, D. C.

REC'D
AUG 16
J. A. G. O.

August 14, 1941.

MAIL ROOM
SECY'S OFFICE
RECD
OM.
MIL.
C.C.
NAVY.
MED.

The Honorable

The Secretary of War

My dear Mr. Secretary:

This acknowledges with thanks your letter dated August 11, 1941, in which you designate representatives on the Committee for Cooperation on internment of alien enemies. I am very glad to have Mr. Miller as one of the advisory civilian representatives.

I have designated Lawrence M. C. Smith, Chief of the Special Defense Unit as one of the representatives of this Department on the Committee and I have under immediate consideration the remaining appointments. Pending the completion of the appointment of this Committee, Mr. Smith will continue to represent this Department in the matter.

AUG 15 1941

Sincerely yours,

Francis Biddle

Acting Attorney General

WAR DEPARTMENT
ADMINISTRATIVE
ASSISTANT

PMG 112.4 Office of the Provost Marshal General
WASHINGTON

August 14, 1941.

MEMORANDUM for The Adjutant General.

Subject: Estimates for cost of construction and operation of camps for the temporary internment of crews of foreign merchant ships and alien enemies in the Continental United States.

1. Plans have been submitted by the several Corps Area Commanders for the establishment within their respective jurisdictions of camps for the temporary internment of such aliens as may be turned over to the Army under the provisions of an agreement between the Secretary of War and The Attorney General. One camp for permanent internment is contemplated in the Fourth Corps Area and two in the Eighth Corps Area. One or more camps for temporary internment are contemplated in each Corps Area. This memorandum deals only with camps for temporary internment. It is understood that the recommendations of the Commanding Generals of the Fourth and Eighth Corps Areas for sites for camps for permanent internment are being investigated by The Quartermaster General (See Tab A).

2. The analysis of estimates for construction and operation of the proposed camps is believed to be a function of The Quartermaster General, and it is recommended that this memorandum and the inclosures be referred to that office for the purpose.

3. The following files which have been transferred by the office of the Assistant Chief of Staff, G-1, to this office are inclosed:

Memorandum from the Assistant Chief of Staff, G-1, to the Chief of Staff, dated July 19, 1941 (G-1/15182-11-B) (Tab A).

Memorandum (G-4/32860), May 28, 1941 (Tab B).

Nine Corps Area Plans (Tabs C to K incl.).

It is understood that additional correspondence is on file in the offices of The Adjutant General, the Assistant Chief of Staff, G-1, and the Assistant Chief of Staff, G-4, which should be made available to The Quartermaster General.

4. A recapitulation of the several estimates for construction was obtained informally from the office of the Assistant Chief of Staff, G-4,(Major Soule),

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BY TAG
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and for convenience is set out below. The estimated numbers of internees in the several jurisdictions are also set out. Except as hereinafter noted, those numbers were taken from secret letter dated March 11, 1941 (AG 014.311 1-13-41) M-A), which formed the directive for submissions of cost estimates. In the cases of the Fourth, Seventh and Eighth Corps Areas, the letter in each instance stated that the number is "so few as not to constitute a serious problem". In the case of the Fourth and Eighth Corps Areas, each Commanding General made his own estimate which has been included. The Commanding General of the Seventh Corps Area, although making an estimate of almost a quarter of a million dollars for construction, did not give an estimate of the number of internees. As the directive of March 11, 1941, stated that the number is "so few as not to constitute a serious problem", the number of 1000 has been entered for planning purposes. I have made no attempt to compare carefully the recapitulation of construction costs given informally by Major Soule with those submitted by the several Commanding Generals concerned. They appear to be substantially the same.

	Estimated Construction Cost	Estimated Number of Aliens (Note 1)	
First Corps Area	$ 4,387.00	2000	
Second Corps Area	26,813.00	4000	
Third Corps Area	31,636.00	2000	
Fourth Corps Area	22,302.00	1000	(C.G. estimate)
Fifth Corps Area	25,000.00	1000	
Sixth Corps Area	67,000.00	2000	
Seventh Corps Area	217,700.00	1000	(PMC estimate)
Eighth Corps Area	39,941.50	800	(C.G. estimate)
Ninth Corps Area	424,220.00	4000	
Total	$858,999.50	17,800	

5. With reference to the cost of operation, as distinguished from the cost of construction, it is recommended that estimates for camps for temporary internment be made upon the following bases:

(a. Number of internees - 17,800
b. Period - remainder of fiscal year 1942.
c. Ration - value of soldiers' ration.
d. Clothing and equipment - each internee:

1 mattress; 1 mattress cover; 2 towels; 2 handkerchiefs; 1 barracks bag; 1 safety razor; 1 tooth brush; 1 comb; 1 pipe (tobacco); 1 belt, waist; 1 coat, cotton or wool (uniform dyed); 1 trousers, cotton or wool (uniform dyed); 1 cap, denim, - shirts, cotton or wool (uniform dyed); 2 pairs socks; 2 suits underwear; 1 raincoat, 1 overcoat (dyed); 1 suit denim; 1 pair gloves (cotton or wool); 2 blankets.

Office of the Provost Marshal
WASHINGTON

Cont.

e. Laundry - by internees, (Cost of laundry supplies only).
f. Barbers - internees, (Cost of barber supplies only).
g. Mess equipment - mess kits in camps for temporary internment. (Issue china in camps for permanent internment)
h. Estimate not to include cost of maintenance of troops detailed for purposes of administration and guard, as such expenses will be necessary regardless of duty performed.

6. It is recommended that, if the bases of estimate referred to in paragraph 5 are approved, this memorandum and inclosures be referred to The Quartermaster General:

a. For determination of cost estimates for construction involved.
b. For determination of estimates of cost of operation; and that upon approval of such estimates, all papers be returned to this office. In view of the current international situation, it is recommended that action be expedited.

45 A G O
AUG 14 1941
Received

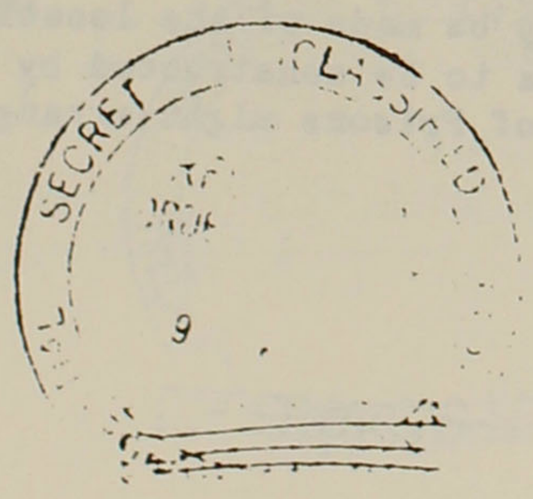
Allen W. Gullion,
Major General, U.S.A.,
The Provost Marshal General.

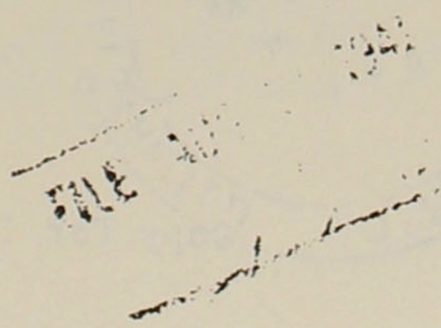
11 inclosures:
Tabs A-K.

AG 014.311 (8-14-41)MC RPM/bjs - 1712.

War Department, A.G.O., August 15, 1941. To: G-1.

11 Incls. n/c





WD 014.311 (7-18-41)MC-PMG

The Honorable,

The Attorney General.

My dear Mr. Attorney General:

This is in further reply to your letter of July 18, 1941, transmitting the executed Joint Agreement between the Department of Justice and the War Department, respecting the internment of alien enemies and commenting upon certain administrative aspects relative to performance of the respective obligations devolving upon each Department under the agreement.

Dispatched in AGO, 8-22-41. ACW/rlc

In the second paragraph of your letter you have referred to the administrative procedure which your Department will follow in examining alien enemies temporarily detained and you suggest that such examination be made the function of local boards of which the United States Attorney in each district will be an ex-officio member. You further indicate the advisability of having representatives of the Immigration Service sit on such boards, and in communities such as New York City, of employing the detention facilities of the Immigration Service rather than those of Federal prisons. From the viewpoint of the War Department, the Joint Agreement does not preclude the adoption and the modification from time to time of such internal administrative arrangements respecting the composition of local boards and the temporary detention of alien enemies in continental United States, Puerto Rico, Alaska and the Virgin Islands as your Department may determine to be convenient and expedient. It does not appear that such action will require amendment of the agreement although it does appear desirable that, so far as possible, these matters be considered by the joint committee in advance of final action.

In the third paragraph of your letter you have alluded to paragraph 14(c) of the Joint Agreement which contemplates that the joint committee will develop plans for relieving the War Department, following the outbreak of war, of responsibility for the custody and control of alien enemies in continental United States, Puerto Rico, Alaska and the Virgin Islands to the fullest extent practicable. In this connection you suggest that a further study be made of the location of each of the three permanent detention camps to be constructed by this Department, and further that the Bureau of Prisons might arrange for the necessary facilities.

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Copy for The Adjutant General, [redacted]

This Department has already selected the location of the three contemplated permanent detention camp sites. This determination was predicated on a careful survey made by several boards of officers in the field. Considerations of construction, convenience, natural security, accessibility, the availability of basic utilities and the geographical distribution of aliens were the primary factors in making those selections. Because of the many administrative details, necessarily precedent to the commencement of construction, final decision could not be deferred, particularly because of swiftness of developments in the international situation. In this connection it is believed that whatever advantage there may be in reopening the decisions already made would be more than overcome by the uncertainties of delay and by the fact that grounds for reconsidering any decision reached can usually be found.

With reference to the possibility that the Bureau of Prisons might arrange for the necessary detention facilities, it is noted that it was necessary for the War Department to furnish such facilities for the internment of the crews of foreign vessels. However, in the face of the suggestion that your Department through the Bureau of Prisons or some other agency might furnish the necessary facilities for detention, it is believed important that final decision be made in this matter at once. If your Department has facilities available for the temporary detention of alien enemies arrested and if it can provide for their permanent detention, then the War Department should not further continue any planning either for the temporary or permanent detention of enemy aliens and it should not undertake the expenditure of any funds for these purposes so far as the continental United States, Puerto Rico, Alaska and the Virgin Islands are concerned. It is therefore urgently requested that your Department state definitely its position in this connection so that a final decision can be made without delay.

With reference to the proposal made in the penultimate paragraph of your letter, namely that the membership of the joint committee be enlarged to permit the inclusion, in addition to two representatives from your Department, of a representative of the Immigration Service, I am agreeable to the inclusion of such an additional representative on the committee. This is, of course, on the understanding that the two Departments will have equal voice in the determinations made by the committee without regard to the number of representatives from each Department.

Sincerely yours,

(Signed) ROBERT P. PATTERSON

Acting Secretary of War.

COPIES TO:
Secretary of War
Provost Marshall Gen.
(comeback)

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FILE AUG

Noted by
Col. Sullivan
acw
5-27-41

BASIC: Para. cy. radio f MacArthur,
Manila, P. I. 8-25- to TAG.
Subject: Disposition of cr s of foreign merchant vessels a other alien enemies
in the event of war.
AGO: 1st Ind. 8-27-41.

PMGO 112.4
(8-28-41)A 2nd Ind.

War Department, P.M.G.O., August 28, 1941 - To The Adjutant General.

1. By first indorsement (AG 014.311 (8-25-41) MC) dated August 27, 1941, there was referred for necessary action, the foregoing paraphrase of secret radiogram No. 200, dated August 25, 1941, from Manila, P. I., signed "MacArthur".

2. a The radiogram indicates that in the Philippine Islands there are an estimated 3330 potential alien enemies and "native malcontents" who may require immediate internment or restraint. These are designated as "Class A" potentials. An estimated 12,843 additional potential alien enemies may require subsequent internment or restraint. These are designated as "Class B" potentials.

b Of the total number of potential internees other than on the island of Luzon there are approximately 1011 in Class A and 9046 in Class B in and about Davao Mindanao. It is stated that measures can be taken to restrict their movements and activities to that section and that their internment is therefore not considered as presently necessary. However, in the opinion of this office it is vital that there be no delay in establishing potential facilities.

c Of the remaining number of potential internees, internment facilities for those whose immediate internment may become necessary can be provided as follows:

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(1) The Commonwealth Government has agreed to make available for this purpose the old abandoned Bilibid prison and a section of the new Bilibid prison at Muntinglupa near Manila. Necessary installations rendering these facilities adaptable for the purpose will cost an estimated $10,000. This will provide internment facilities for those Class A potentials in and about Manila.

(2) For internment facilities outside Manila, when such internment becomes necessary, an estimated additional $25,000 is needed, to be expended as necessity demands.

3. In the territory of Hawaii, the number of internees estimated by the Department Commander to require immediate internment is 1500, approximately $500,000 is required to construct the necessary facilities. Allocation of funds in the amount is now pending, preliminary approval having been accorded by the Assistant Chief of Staff, G-4.

In the Ninth Corps Area where the number of potentials estimated by the Corps Area Commander is 4000, $424,220 is required to provide temporary internment facilities (See memorandum of this office for The Adjutant General dated August 14, 1941 (PMG 112.4)).

4. In view of the number of potential internees, the manifest reasonableness of the amounts estimated to be necessary and the strong possibility that the necessity for putting the plan into effect may arise at any time and with little advance notice, it is recommended that expenditure in the amount of $35,000 be authorized for the purpose. Priority action is requested.

For The Provost Marshal General:

45 A G O
AUG 28 1941
Rec'd Back

Karl R. Bendetson,
Major, J.A.G.D.,
Chief, Aliens Section,
Provost Marshal General's Office.

REC'D. G-1 AUG 30 1941

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BY TAG PER
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September 18, 1941.

MEMORANDUM for the Assistant Chief of Staff, G-1.

Subject: Personnel overhead, alien enemy internment camps.

1. Responsive to letter (AG 014.311) (1-13-41)M-A) dated March 11, 1941, there were received in the War Department, estimates by the several Corps Area Commanders, of the cost of construction of enclosures for the internment of alien enemies. These estimates were turned over to The Provost Marshal General about August 1, 1941, for appropriate action.

2. So far as this office is informed no estimate has been made of the personnel necessary to operate these internment camps. It is important that personnel be ear-marked for this purpose. Under existing provisions of law the need for the personnel, as to time, bears no necessary relation whatever to M-day. It is provided by Section 21 of Table 50 of the United States Code in pertinent part as follows:

> "Whenever there is declared a war between the United States and any foreign nation or government, or any invasion or predatory incursion is perpetrated, attempted, or threatened, against the territory of the United States, by any foreign nation or government, and the President makes public proclamation of the event, all natives, citizens, denizens or subjects of the hostile nation or government, being of age of fourteen years and upwards, who shall be within the United States, and not actually naturalized, shall be liable to be apprehended, restrained, secured, and removed, as alien enemies. . . . . "

3. Recent events indicate the possibility of the necessity for a Presidential proclamation pursuant to the above quoted law at any time. It therefore appears necessary at this time to provide for the personnel needed to operate the alien enemy internment camps upon such proclamation. Tentative plans in this office contemplate operating such camps in a manner substantially similar to that outlined in proposed FM 19-5 for Prisoners of War. Therein it is provided to organize the prisoners of war into labor companies of 150 men each, with a prisoner of war escort company (T/O 7-217) providing the administration and guard. The tentative plan for the operation of alien enemy camps accordingly requires one escort company (T/O 7-217), consisting of 3 officers and 88 enlisted men, for each 150 enemy aliens interned. The letter of March 11, 1941, referred to in paragraph 1, hereof, includes an estimate of 15,000 alien

RG

enemies for whom corps area commanders will be required to provide temporary custody. On the basis of 1 escort company per 450 alien enemies, 33 escort companies will be required.

It is understood that some increase in the near future is contemplated in corps area service command troops. Consideration should be given to organising part of the increase contemplated, into escort companies so as to be available on short notice for the operation of alien enemy camps. Until the need arises for the operation of the internment camps these troops may be used on corps area overhead, and might well be used for the purpose of military police duty in towns and cities, for which function, I am informed, there is a scarcity of qualified troops. Very little training will be necessary for their use in the operation of internment camps, but if used for patrol duty, as herein recommended, they should be given thorough training under a carefully coordinated program of instruction.

4. The foregoing discussion does not include consideration of the overhead necessary for the operation of the White or Counter Fifth Column plans or of alien enemy internment camps in Hawaii, Philippines and the Canal Zone. The Hawaiian Department Commander estimates 1500 aliens will be interned there, calling for the organization of 3 escort companies. The estimate for the Philippine Islands is 3150 certain and an additional 12,843 potential. On the certain basis 7 escort companies will be required and on the certain and potential basis a total of 36 companies. No estimate has been received from the Canal Zone. This office does not recommend that escort companies be organized at this time in the overseas Departments. The requirements based upon current estimates are included here merely to bring to light the troops that will be required to operate the alien enemy internment camps in these Departments.

5. Accordingly, I recommend that I be authorized to organize at once 33 escort companies (each of 2 officers and 88 enlisted men) for the purpose of meeting immediate needs for military police in the several corps areas, and for the ultimate purpose of providing a nucleus of personnel for guarding enemy aliens and prisoners of war in case of necessity. No recommendations are contained in this paper with reference to Zone of the Interior troops necessary for the operation of the White and Fifth Column plans, or for any needs of overseas possessions.

Allen W. Gullion,
Major General, U.S.A.,
The Provost Marshal General.

Office of the Attorney General
Washington, D.C.

September 26, 1941.

The Honorable

The Secretary of War

My dear Mr. Secretary:

Reference is made to your letter of August 22nd respecting certain questions raised by my letter to you, dated July 18, 1941, with regard to the joint agreement between the Department of Justice and the War Department.

I am glad to be able to advise you that I have named the following gentlemen to serve as representatives on the joint committee representing our two Departments: Mr. Charles Fahy, Assistant Solicitor General, Mr. Lawrence M. C. Smith, Chief of the Special Defense Unit, and Mr. Edward J. Ennis, Counsel for the Immigration and Naturalization Service. I have the names of persons eligible as civilian members under consideration and I will notify you immediately when a choice has been made. It is understood, of course, that the two Departments will have equal votes in any determinations made by the committee without regard to the number of representatives from each Department.

It is my hope that the committee will arrange to meet at an early date in order that the questions raised by your letter may be moved to decision as quickly as possible.

Sincerely,

Attorney General

SECRET

WAR DEPARTMENT

OFFICE OF THE PROVOST MARSHAL GENERAL

WASHINGTON

Secret
Auth.: The P.M.G.
Initials: KRR
Date: 10/7/41

PMGO 014.311 (A)

October 7, 1941.

MEMORANDUM for the Chief of Staff.

Subject: Investigative responsibility (counter-intelligence, counter-subversive, and counter-sabotage) in the Alaskan Peninsula.

1. Investigative responsibility in the Alaskan Peninsula relative to counter-subversion, counter-intelligence, and counter-sabotage is that of the Navy Department through the Office of Naval Intelligence. The Navy Department has submitted a request through the Department of Justice that it be relieved of this responsibility and has suggested informally to the Justice Department that it be assumed by the Army, particularly as to Sitka, Dutch Harbor, Kodiak, and the Pribiloff Islands.

2. The subject request was communicated to the War Department by representatives of the Justice Department on the joint committee between the Departments of War and Justice, pursuant to the provisions of the joint agreement between such departments regarding the control of alien enemies during time of war or other acute emergencies. The initial meeting of that committee was held in the Office of The Provost Marshal General on Friday, October 3, 1941.

3. In this connection the Department of Justice has also informally requested that it be advised whether the War Department is willing and able to assume responsibility for execution of the alien enemy program in the Alaskan Peninsula and Puerto Rico on the same basis as that responsibility is now imposed under the joint agreement respecting the Canal Zone, the Hawaiian Islands, and the Philippine Islands. Under the joint agreement between the two departments there is now imposed upon the War Department the responsibility for carrying out any Presidential regulations which may be issued in time of war or other acute emergency providing for the conduct and control of alien enemies in the Canal Zone, the Hawaiian Islands, and the Philippine Islands. As to the three places mentioned, the responsibility for apprehension and custody of all alien enemies arrested, including women and minors, devolves upon the War Department through the respective military commanders for those places. Accession to the Justice Department's request would place Alaska and Puerto Rico on precisely the same basis as are the Canal Zone, the Hawaiian Islands, and the Philippine Islands at present.

4. The Department of Justice representatives requested that a decision be reached in the matter as soon as practicable. A second meeting of the joint committee will be held Thursday morning, October 9, 1941. It has been suggested that the War Department communicate

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its decision in the matter through its representatives on the joint committee at the second meeting.

5. Accordingly, I recommend that the War Department

a. Assume the investigative responsibility described above for the Alaskan Peninsula, provided that the consent of the Secretary of the Treasury to the cooperation and collaboration of the Coast Guard is obtained with respect to the coastal and island areas;

b. Undertake the responsibility for the control of alien enemies in the Alaskan Peninsula and Puerto Rico on the same basis as that responsibility is now imposed upon it by the joint agreement with respect to the Canal Zone, the Hawaiian Islands, and the Philippine Islands; and

c. Expedite final decision on the request of the Department of Justice, described in a. and b. above, so that, if practicable, the War Department decision can be communicated informally by its representatives on the joint committee at the next meeting of that committee on Thursday, October 9, 1941.

Allen W. Gullion,
Major General, U.S.A.,
The Provost Marshal General.

For action see Pmg memo 12/1/41

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WAR DEPARTMENT
WAR DEPARTMENT GENERAL STAFF
MILITARY INTELLIGENCE DIVISION G-2
WASHINGTON

MID 383.4

October 8, 1941.

MEMORANDUM FOR THE CHIEF OF STAFF.

Subject: Investigative responsibility in islands adjacent to the Alaskan Peninsula and custodial detention of alien enemies in Puerto Rico and Alaska.

I. Discussion.

1. Reference is made to Memorandum for the Chief of Staff from the Provost Marshal General, dated October 7, 1941, same subject (Tab A), which was referred to G-2 by the Assistant Secretary, General Staff for comment.

2. This Division is in general agreement with the recommendations of the Provost Marshal General, but as a matter of record desires to point out the following:

a. The Federal Bureau of Investigation is charged with investigations of subversive individuals, sabotage and other un-American activities among civilians on the Alaskan mainland (Tab B).

b. Investigations in off-shore islands (Kodiak, Aleutian and Pribiloff Islands) were taken over by the 13th Naval District due to the transportation problem.

c. The F.B.I. informally advises that there are not over 400 subversive cases in the entire Alaskan Peninsula. It is believed that cases arising in off-shore islands will be at a minimum and can be handled by G-2, Alaskan Defense Command, in cooperation with the Coast Guard.

3. Apprehension and custodial detention for alien enemies in the Philippine Islands, Canal Zone and the Hawaiian Islands are provided for by joint agreement between the Attorney General and the War Department (Tab C, page 5). Apprehension of alien enemies in Puerto Rico and Alaska is accomplished by means of a Presidential warrant issued by the Attorney General. It is believed that the extension of this agreement to include Puerto Rico and Alaska should make clear whether this procedure shall continue in force. Custodial detention of alien enemies in Puerto Rico and Alaska will not present a serious problem as the number of internees will be small. It is estimated that there are not over 100 at each locality.

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II. Action recommended.

That the Department of Justice be advised:

1. That the Army will assume investigative responsibility among civilians in the Aleutian, Pribiloff and Kodiak Island group, provided the cooperation of the Coast Guard is obtained.

2. That the Army will assume responsibility for custodial detention of all alien enemies, including women, directed to be interned by proper authority in Puerto Rico and Alaska, and will provide the necessary supplies, subsistence and medical care for such alien enemies during the period of custody by the military authorities.

HAYES A. KRONER,
Colonel, General Staff,
Acting Assistant Chief of Staff, G-2.

Encls.:
Tabs A, B and C

OCT 10 1941
APPROVED
By order of the Secretary of War
Wm. BRYDEN
Deputy Chief of Staff
By JOHN R. DEANE
Lt. Col. G.S.C., Asst. Sec. W.D.G.S.

See memo Gen Gullion to Dpty. C/S 12/1/41

NOTED-DEPUTY CHIEF OF STAFF - B

RECD
OCT 13 1941
P.M.G.

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OCS 21227-25

Honorable Robert R. Reynolds,
Chairman, Committee on Military Affairs,
United States Senate.

Dear Senator Reynolds:

Reference is made to S. 1401, 77th Congress, a bill to restrict the use of arms and other implements of war by aliens, which you referred to the War Department on May 2, 1941.

The War Department believes that the general intent of the bill should operate to counteract and forestall the more violent expressions of sabotage, espionage and Fifth-Column activity in the United States and its possessions. It appears, however, that the bill is so restrictive in its present form as to hamper, curtail and penalize much activity that is entirely innocent and even contributory to the furtherance of the national defense program.

In view of the foregoing, and in view of the fact that the Bureau of the Budget has advised that it is not believed that the enactment of the proposed legislation should be considered as being in accord with the program of the President, the War Department is constrained to recommend against the enactment of S. 1401 in its present form.

Dispatched in
AGO 10-27-41.
ACW/rlc

Sincerely yours,

NOTED IN BUDGET AND LEGISLATIVE
PLANNING BRANCH, O. C. S.

Secretary of War.

Received A.G.O.
OCT 25 1941

OCS/21023-4

DISTRIBUTION:
1 Secretary of War w/d in OSW
1 Office Chief of Staff w/d in OCS
1 Budget officer for the War Department
2 Director, Bureau of the Budget

D-1/32960

Honorable Frank Knox,

Secretary of the Navy.

Dear Mr. Secretary:

At a recent conference between a representative of the Office of Naval Intelligence and representatives of the War Department, the matter of custody of alien belligerents was discussed.

The Navy representative was tentatively advised that in case custody of belligerent aliens is obtained by the Navy, the Army is prepared to effect their detention in the manner in which it is contemplated that prisoners of war will be handled. That tentative advice is confirmed.

For your information, there is inclosed a copy of a letter to the Secretary of State inviting his comments upon the arrangement.

Sincerely yours,

Secretary of War.

1 Incl.
Copy ltr. to Sec. of War.

State

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OFFICE CHIEF OF STAFF

COPY FOR
THE ADJUTANT GENERAL

me 12-1-41

THE WHITE HOUSE

WASHINGTON

~~CONFIDENTIAL~~

November 8, 1941.

MEMORANDUM FOR

THE SECRETARY OF WAR

Please read this and let me have it back. There is nothing much new in the first four paragraphs on Page #1 but paragraph five relating to the guarding of key points should be examined into.

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F. D. R.

NOV 10 1941

WAR DEPARTMENT
ADMINISTRATIVE
ASSISTANT

JOHN FRANKLIN CARTER
(Jay Franklin)
1210 NATIONAL PRESS BUILDING
WASHINGTON, D. C.

"We, the People"
"The Week in Washington"

Metropolitan 4112
Metropolitan 4113

November 7, 1941.

MEMORANDUM ON C.B.MUMSON'S REPORT "JAPANESE ON THE WEST COAST"

Attached herewith is the report, with supplementary reports on Lower California and British Columbia. The report, though lengthy, is worth reading ~~its~~ in its entirety. Salient passages are:

1) "There are still Japanese in the United States who will tie dynamite around their waist and make a human bomb out of themselves... but today they are few".

2) "There is no Japanese 'problem' on the coast. There will be no armed uprising of Japanese. There will be undoubtedly some sabotage financed by Japan and executed largely by imported agents. There will be the odd case of fanatical sabotage by some Japanese 'crackpot'"

3) "The dangerous part of their espionage is that they would be very effective as far as movement of supplies, movement of troops and movement of ships...is concerned."

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4) "For the most part the local Japanese are loyal to the United States or, at worst, hope that by remaining quiet they can avoid concentration camps or irresponsible mobs."

5) "Your reporter..is horrified to note that dams, bridges, harbors, power stations etc. are wholly unguarded everywhere. The harbor of San Pedro could be razed by fire completely by four men with hand grenades and a little study in one night. Dams could be blown and half of lower California might actually die of thirst... One railway bridge at the exit from the mountains in some cases could tie up three or four main railroads".

JFC
J.F.C.

JAPANESE ON THE WEST COAST

(C. B. Munson)

GROUND COVERED

In reporting on the Japanese 'problem' on the West Coast the facts are, on the whole, fairly clear and opinion toward the problem exceedingly uniform. In reporting, the main difficulty is to know where to leave off and what to leave out. One could gather data for fifteen years with fifteen men and still be in the position of the Walrus and the Carpenter:

> If seven maids with seven mops
> Swept it for half a year -
> Do you suppose, the Walrus said,
> That they could get it clear?

Whisking up the grains of sand is the wrong approach, yet when your reporter declares there is a sea and a shore and some sand, and that he has sampled the general quality of sand in many varying beaches, do not be too hard in your judgment for him if he has stopped far short of sorting out each layer or tint or even each beach. You have to feel this problem - not figure it out with your pencil. We only cite the sand that our reader may never forget the complexities of even a shovel full of sand.

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Your reporter spent about a week each in the 11th, 12th and 13th Naval Districts with the full cooperation of

the Naval and Army intelligences and the F.B.I. Some mention should also be made of the assistance rendered from time to time by the British Intelligence. Our Navy has done by far the most work on this problem, having given it intense consideration for the last ten or fifteen years. Your reporter commenced in the 12th Naval District, which covers Northern California, from thence to the 13th, covering Washington and Oregon, winding up his observations in the 11th Naval District, covering Southern California, where to his mind the whole 'problem' finally focuses. Your reporter also turned the corner into British Columbia through a member of the R.C.M.P. and the corner into Mexico through a conference with our Consul at Tijuana..

Opinions of the various services were obtained, also of business, employees, universities, fellow white workers, students, fish packers, lettuce packers, farmers, religious groups, etc. etc. The opinion expressed with minor differences was uniform. Select Japanese in all groups were sampled. To mix indiscriminately with the Japanese was not considered advisable chiefly because the opinions of many loyal white Americans who had made this their life work for the last fifteen years were available and it was foolish to suppose your reporter could add to the sum of knowledge in three weeks by running through the topmost twigs of a forest.

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BACKGROUND

Unless familiar with the religious and family background of the Japanese, this rough background summary should

be skimmed over as it has a bearing on the Japanese question. If the reader is familiar with the Japanese background, it may be omitted.

An American wit once said, "You cannot tell the truth about Japan without lying." This same witicism might be made with reference to the Japanese people, but, like all generalizations, it needs a corrective explanation. A study of Japan is a study in the category of social fully as much as of political science. The study of the Japanese people is one of absorbing interest.

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Who are the Japanese people? From whence did they come and what emotional concepts did they bring with them? While there might not be unanimity of opinion as to the various strains that go to make up the Japanese of today, one leading anthropologist, Dr. Frederick Star of the University of Chicago, a number of years ago said to the writer, "the Japanese are the most mixed race of people that I have ever studied". The Malay strain is pronounced in the Japanese, especially in the Province of Kumamoto. The Mongol is very prounounced in the upper middle as well as in the so-called higher brackets of society. Then there is the Aryan strain still to be seen in its unmixed form in the 17,000 and more Ainu who inhabit portions of Hokkaido and the Kurile Islands. These latter are related to the Aryan group in physiognomy and in language. These three strains have produced the Japanese of today.

The Ainu, in so far as we know, was the aboriginal. His social status was changed from time to time as conquering groups drove him farther and farther to the North. These

conquering groups came from China via Korea. Japanese history begins with the conqueror Jimnu Tenno, who arrived on a 'Floating Bridge of Heaven' - a poetical expression for his coming to Japan by boat. He found a tribal people with a primitive animistic faith of nature worship. He had a superior religion and he was shrewd. He told the conquered people that their reverence for the tribal chief was a true reverence and that he also revered the head of his clan which was the Sun Goddess, whose beneficent rule was seen in her health-giving rays. Thus began what is known as 'Shinto' ('The Way of the Gods'), as we know it today. From the days of Jimnu (the first Japanese Emperor) to the present, all Japanese have revered the Emperor as a descendant of the Sun Goddess, whose appearance in Japanese mthology is too complicated to be discussed here.

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Another cultural element in Japanese life stems from the introduction of Buddhism in Japan in the sixth and seventh centuries. Buddhism is a foreign religion and made little progress in Japan, even though it was fostered by the Emperor Prince Shotoku. Buddhism had a very difficult time until some wise propagandist hit upon the idea of incorporating the Shinto Gods into the Buddhist Pantheon. All the Shinto deities were recognized as avatars of Buddha and we have continuing in Japan until the days of the Restoration what is known as two-fold Buddhism - a union of Shinto and Buddhism - a union so intricate that Buddhist God shelves in the home have unmistable Shinto deities and Shinto God shelves have unmistakable Buddhist

deities. Japan can never repay Buddhism for its contribution to the cultural life of the people. Its temples were schools wherein those who wished might be taught. It developed the arts and crafts, and was the developer and preserver of much that is beautiful in the cultural life of the Nation today.

While the Shinto and the Buddhist influence, separate and co-mingled, were moving forward, there developed in Japan a feudal type of society. This society was organized under the rule of a tribal person known as 'The Great Name' (a land baron). He had warriors or knights known as Samurai. They, the Samurai, preserved order and fought battles to maintain the existence of the clan. Besides the Samurai there was the farmer who raised the food, the artisan who fashioned and fabricated the tools, not only of the farmer but also of the warrior, and there was the merchant; below them there was the eta, and lower still the hinin - those who for misconduct or through capture had been reduced in status until they were not considered men, as the term 'hinin' implies.

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For nearly 1,000 years, this state of society existed with internecine wars of all too frequent and carnal occurrence until early in the seventeenth century when a great man, Ieyasu, appeared, and became the founder of what is known as the Tokugawa family. The story of this period is interesting, but time and space do not permit the telling of it here, other than to say it was a period of about 250 years of great peace.

During the Tokugawa period, Confucianism had great vogue. The Samurai children were privileged to attend the few

schools which were maintained and where the principles of Confucian ethics were taught, but with one great characteristic change - the Japanese substituted for the chief virtue, loyalty for filial piety. Chugi (loyalty) is loyalty, not to an idea nor an ideal, but to a person. In this feudal society, personal relationships were supreme, and loyalty was the cardinal virtue.

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In the feudal state, as well as throughout all Japanese history, the individual as an individual did not exist. He existed only as a member of the family and the family existed as a member of the clan. The family could dispose of individuals at will, should occasion merit such action. Even life itself could be taken, after the case had been submitted to the family council. In this connection, one should not overlook the tremendous influence of the dead. The living succeed or fail, are happy or sad, through the influence of the dead who live in the tombs of the village or hover over their familiar haunts. It is well to keep this in mind when estimating Japanese activity. The Japanese believe that the dead remain in the World and that all dead become Gods with supernatural powers, and that happiness of the dead depends upon respectful services that are rendered them by the living.

In a feudal society, the merchant cuts a very poor figure. He was looked down upon by the Samurai and he was inferior to the farmer and the artisan. It is significant that but a very few families of merchants have maintained a good social position. Of these there are the Mitsui, the

Iwasaki (this latter being represented by what we know as the Mitsubishi), and also the Sumitomo family.

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With the Coming of Commodore Perry in 1853 and 1854, feudalism began to pass away and within 20 years was abolished by Government edict. Although the feudal social system was legally abolished, its influence continues even today.

With the Restoration there appeared a new influence in Japanese life and that was the coming of the Christian missionary with his doctrine of individual responsibility to deity. This was something new to the Japanese system of society. Heretofore religion centered in the family, and family culture and family faith were a collective thing and not individual. The success of the missionary movement in Japan is remarkable because it brings this new element into the social picture. Wherever Christianity succeeds, it also succeeds in breaking the old family ties and hang-overs of a feudal order. Japan's advance in Government, its development educationally and the vast improvements that we see in society today have been furthered by the application of Western methods of teaching, of Government, etc. But, the Christian influence must not be underestimated nor should one go too far in over-stressing its great importance. Christianity is individual-istic, and that is one reason why the 'powers that be' in Japan today are endeavoring to regulate its activities, if not to change some of its tenets. The Christian Japanese under-stand America better than any other group because they have been more and more weaned away from the influence of feudalism.

The Japanese are a perplexing people and their study is a very interesting and very enlightening one. They follow the leader - they have done this throughout all the years of their history. Even today, personal ties are stronger than legal ones.

No estimate of the elements characteristic of the Japanese is complete without a word about 'giri'. There is no accurate English word for 'giri'. The nearest approach to an understanding of the term is our word 'obligation', which is very inadequate and altogether too weak. Favors or kindnesses done to a Japanese are never forgotten but are stored up in memory and in due time an adequate quid pro quo must be rendered in return. The clever and none-too-scrupulous individual often hangs 'giri' upon the unsuspecting, to their hurt and harm. 'Giri' is the great political tool. To understand 'giri' is to understand the Japanese.

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ASSOCIATIONS

The Japanese is the greatest joiner in the world. To take care of this passion he has furnished himself with ample associations to join. There are around 1563 of these in the United States. Your reporter has before him a Japanese publication entitled "The Japanese-American Directory of 1941" at least two inches thick listing the Japanese associations in fine print. Your reporter also has before him lists furnished him in the various Naval Districts of some of the leading associations considered the most important, with full descriptions of their activities as far as known. It is

endless to clutter up this report with them.

FAMILY SET-UP IN UNITED STATES

In the United States thare are four divisions of Japanese to be considered:

1. The ISSEI - First generation Japanese. Entire cultural background Japanese. Probably loyal romantically to Japan. They must be considered, however, as other races. They have made this their home. They have brought up children here, their wealth accumulated by hard labor is here, and many would have become American citizens had they been allowed to do so. They are for the most part simple people. Their age group is largely 55 to 65, fairly old for a hard-working Japanese.

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2. The NISEI: Second generation who have received their whole education in the United States and usually, in spite of discrimination against them and a certain amount of insults accumulated through the years from irresponsible elements, show a pathetic eagerness to be Americans. They are in constant conflict with the orthodox, well disciplined family life of their elders. Age group - 1 to 30 years.

3. The KIBEI - This is an important division of the NISEI. This is the term used by the Japanese to signify those American born Japanese who received part or all of their education in Japan. In any consideration of the KIBEI they should be again divided into

two classes, i.e. THOSE WHO RECEIVED THEIR EDUCATION IN JAPAN FROM CHILDHOOD TO ABOUT 17 YEARS OF AGE and THOSE WHO RECEIVED THEIR EARLY FORMATIVE EDUCATION IN THE UNITED STATES AND RETURNED TO JAPAN FOR FOUR OR FIVE YEARS OF JAPANESE EDUCATION. The Kibei are considered the most dangerous element and closer to the Issei with especial reference to those who received their early education in Japan. It must be noted, however, that many of those who visited Japan subsequent to their early American education come back with an added loyalty to the United States. In fact it is a saying that all a Nisei needs is a trip to Japan to make a loyal American out of him. The American educated Japanese is a boor in Japan and treated as a foreigner and with a certain amount of contempt there. His trip is usually a painful experience.

4. The SANSEI - The third generation Japanese is a baby and may be disregarded for the purposes of our survey.

We must now think back to the paragraph entitled BACKGROUND. This is tied into the family of which the Issei is the head with more authority and hold over his family than an old New England Bible-thumbing pioneer. Their family life is disciplined and honorable. The children are obedient and the girls virtuous. We must think also of the Associations, some sinister, some emanating from Imperial Japan, some with Japanese Consular contacts. It all weaves up into a sinister

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pattern on paper. This pattern has been set up in a secret document entitled "Japanese Organizations and Activities in the 11th Naval District", and may be scrutinized with proper authorization in the Navy Department in Washington. We only suggest this to our reader in case our words have not built up the proper Hallowe'en atmosphere. It is like looking at the 'punkin' itself. There is real fire in it, yet in many ways it is hollow and dusty. However, your reporter desires to have you know that all this exists before he goes on to the main body of his report on how the Japanese in the United States are liable to react in case of war with Japan.

THE TOKIO-SUN GOD-RELIGIOUS-FAMILY-ASSOCIATION PLUS ORIENTAL MIND SET-UP SHOWS SIGNS OF THE HONORABLE PASSAGE OF TIME.

There are still Japanese in the United States who will tie dynamite around their waist and make a human bomb out of themselves. We grant this but today they are few. Many things indicate that very many joints in the Japanese set-up show age and many elements are not what they used to be. The weakest from a Japanese standpoint are the Nisei. They are universally estimated from 90 to 98% loyal to the United States if the Japanese educated element of the Kibei is excluded. The Nisei are pathetically eager to show this loyalty. They are not Japanese in culture. They are foreigners to Japan. Though American citizens they are not accepted by Americans, largely because they look differently and can be easily recognized. The Japanese American citizens League should be encouraged, the while an eye is kept open, to see that Tokio does not get its finger in this pie - which it has in a few

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cases attempted to do. The loyal Nisei hardly know where to turn. Some gesture of protection or wholehearted acceptance of this group would go a long way to swinging them away from any last romantic hankering after old Japan. They are not oriental or mysterious, they are very American and are one of a proud, self-respecting race suffering from a little inferiority complex and a lack of contact with the white boys they went to school with. They are eager for this contact and to work alongisde them.

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The Issei or first generation is considerably weakened in their loyalty to Japan by the fact that they have chosen to make this their home and have brought up their chidren here. They expect to die here. They are quite fearful of being put in a concentration camp. Many would take out American citizenship if allowed to do so. The haste of this report does not allow us to go into this more fully. The Issei have to break with their religion, their god and Emperor, their family, their ancestors and their after-life in order to be loyal to the United States. They are also still legally Japanese. Yet they do break, and send their boys off to the Army with pride and tears. They are good neighbors. They are old men fifty-five to sixty-five, for the most part simple and dignified. Roughly they were Japanese lower middle class about analogous to the pilgrim fathers. They were largely farmers and fishermen. Today the Japanese is farmer, fisherman and businessman. They get very attached to the land they work or own (through the second generation),

they like their own business, they do not work at industrial jobs nor for others except as a stepping stone to becoming independent.

The Kibei, educated from childhood to seventeen, are still the element most to be watched.

WHAT WILL THE JAPANESE DO

SABOTAGE

Now that we have roughly given a background and a description of the Japanese elements in the United States the question naturally arises - what will these people do in case of a war between the United States and Japan? As interview after interview piled up, those bringing in results began to call it the same old tune. Such it was with only minor differences. These contacts ranged all the way from two-day sessions with Intelligence Services, through business men, to Roman Catholic priests who were frankly not interested in the United States and were only interested in making as many Catholics as possible. The story was all the same. There is no Japanese 'problem' on the Coast. There will be no armed uprising of Japanese. There will undoubtedly be some sabotage financed by Japan and executed largely by imported agents or agents already imported. There will be the odd case of fanatical sabotage by some Japanese 'crackpot'. In each Naval District there are about 250 to 300 suspects under surveillance. It is easy to get on the suspect list, merely a speech in favor of Japn at some banquet, being sufficient to land one there. The Intelligence Services are generous with the title of suspect and are taking no chances. Privately, they

believe that only 50 or 60 in each district can be classed as really dangerous. The Japanese are hampered as saboteurs because of their easily recognized physical appearance. It will be hard for them to get near anything to blow up if it is guarded. There is far more danger from Communists and people of the Bridges type on the Coast than there is from Japanese. The Japanese here is almost exclusively a farmer, a fisherman or a small business man. He has no entree to plants or intricate machinery.

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ESPIONAGE

The Japanese, if undisturbed and disloyal, should be well equipped for obvious physical espionage. A great part of this work was probably completed and forwarded to Tokio years ago, such as soundings and photography of every inch of the Coast. They are probably familiar with the location of every building and garage including Mike O'Flarety's out-house in the Siskiyous with all trails leading thereto. An experienced Captain in Navy Intelligence, who has from time to time and over a period of years intercepted information Tokio bound, said he would certainly hate to be a Japanese coordinator of information in Tokio. He stated that the mass of useless information was unbelievable. This would be fine for a fifth column in Belgium or Holland with the German army ready to march in over the border, but though the local Japanese could spare a man who intimately knew the country for each Japanese invasion squad, there would at least have to be a terrific American Naval disaster before his brown brothers would need his services. The dangerous part of their espionage is that

they would be very effective as far as movement of supplies, movement of troops and movement of ships out of harbor mouths and over railroads is concerned. They occupy only rarely positions where they can get to confidential papers or in plants. They are usually, when rarely so placed, a subject of perpetual watch and suspicion by their fellow workers. They would have to buy most of this type of information from white people.

PROPAGANDA

Their direct propaganda is poor and rather ineffective on the whole. Their indirect is more successful. By indirect we mean propaganda preaching the beauties of Japan and the sweet innocence of the Japanese race to susceptible Americans.

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SUMMARY

Japan will commit some sabotage largely depending on imported Japanese as they are afraid of and do not trust the Nesei. There will be no wholehearted response from Japanese in the United States. They may get some helpers from certain Kibei. They will be in a position to pick up information on troop, supply and ship movements from local Japanese.

For the most part the local Japanese are loyal to the United States or, at worst, hope that by remaining quiet they can avoid concentration camps or irresponsible mobs. We do not believe that they would be at least any more disloyal than any other racial group in the United States with

whom we went to war. Those being here are on a spot and they know it. This is a hurried, preliminary report as our boat sails soon for Honolulu. We have not had a moment even to sort out our voluminous material since we came west. Your reporter is very satisfied he has told you what to expect from the local Japanese, but is horrified to note that dams, bridges, harbors, power stations, etc. are wholly unguarded everywhere. The harbor of San Pedro could be razed by fire completely by four men with hand grenades and a little study in one night. Dams could be blown and half of lower California might actually die of thirst, not to mention the damage to the food supply. One railway bridge at the exit from the mountains in some cases could tie up three or four main railroads. The Navy has to crawl around San Pedro on its marrow bones from oil company to oil company, from lumber yard to harbor board, to city fathers, to politicians in lieu of a centralized authority, in order to strive albeit only partially to protect the conglomeration of oil tanks, lumber, gas tanks and heaven knows what else. And this is the second greatest port in the United States! This is the home base of at least the South Pacific Fleet! This is the greatest collection of inflammable material we have ever seen in our lifetime concentrated in a small vulnerable area! We do not suspect the local Japanese above anyone else or as much as the Communists or the Nazis, but before or on the outbreak of war in the South Pacific someone will set fire to this. If they do not they are fools. The Navy or some unified

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National Archives and Records Service

authority should have complete control of the harbor of Los Angeles, known as San Pdro and Long Beach, from the water's edge in a twenty-five mile radius inland, before the outbreak of war with Japan. That time is now.

We will re-work this report for final submittal later. We have missed a great deal through haste. We believe we have given the high points to the best of our ability. The Japanese are loyal on the whole, but we are wide open to sabotage on this Coast and as far inland as the mountains, and while this one fact goes unrectified I cannot unqualifiedly state that there is no danger from the Japanese ~~fxrxfrxm~~ living in the United States which otherwise I would be willing to state.

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Dillon S. Myer

SUPPLEMENTARY REPORT ON BRITISH COLUMBIA

The following information was furnished by a reliable source but it has not been verified and cannot be vouched for.

The total population of Japanese in Canada is estimated as between 25,000 and 30,000 of whom 23,000 reside in British Columbia. A few of these Japanese are naturalized but the great majority are either native born Canadians or immigrants.

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The Japanese population is suspected of having a predilection for Japan although the exact feelings of most of them is unknown. They are not believed to be a serious threat from a standpoint of armed uprisings in the event of war although there are probably a number of individuals in the group who would engage in subversive activity.

From a strategic point of view these Japanese are dangerously located in event of war between Canada and Japan. They are situated at the mouths of important rivers and around the entrances of harbors. There are many of them located in the vicinities of important air bases in British Columbia. Japanese communities exist at most of the strategic points throughout the province. They own a total of 2,144 vessels in Provincial waters, 211 of these vessels being over ten tons. As a race they generally look to the Japanese Consul for their guidance in matters pertaining to their welfare and political position in the community.

SUPPLEMENTARY REPORT ON LOWER CALIFORNIA

AND NORTHWESTERN MEXICO

In a conference with the U. S. Consul from Tijuana, he stated that there was no Japanese problem in his district as there were very few Japanese left there. One Rodriguez, former Governor for many years of Lower California, and very partial to the United States, abetted by the American Navy, has set up a shrimp fishing monopoly in the Gulf of California thereby eliminating Japanese fishing (Japan-controlled) in this area. The Consul states that he has sent full reports to the State Department covering the situation there. There is evidently nothing in the Japanese problem across the border about which to be exercised.

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WAR DEPARTMENT
WASHINGTON

February 5, 1942

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HYDE PARK, N. Y.

Dear Mr. President:

In response to your memorandum of November 8, the Department gave careful study and consideration to the matters reported by Mr. C. B. Munson in his memorandum covering the Japanese situation on the West Coast.

Since you are generally aware of the radical steps which have been taken since December 7 to control the situation on the West Coast and particularly the guarding of the key points in that area by Federal troops, I see little need of commenting on the report I have before me. The California state authorities are still somewhat confused as to the steps they wish to take to form units to guard local property generally, but I understand a number of interests are endeavoring to reach some solution of the problem. In the meantime, General DeWitt's forces continue to guard many of the more important strategic points and installations.

We have worked out with the Attorney General a more expeditious legal method than formerly prevailed in the Western theatre of operations in connection with the search and seizure of enemy aliens and their property.

I may add that our officials have consulted with Mr. Munson on the matter of the defense of the West Coast against enemy agents.

As requested in your memorandum, I am returning Mr. Munson's report.

Faithfully yours,

Henry L. Stimson

Secretary of War

The President
The White House

Encs.:
1. Report
2. Memorandum

y

W.F.C.

Office of the Attorney General
Washington, D.C.

November 5, 1941

1941

The Honorable
The Secretary of War
Washington, D. C.

My dear Mr. Secretary:

There have recently appeared in the press a number of reports and photographs pertaining to the temporary detention at Camp Upton, New York, of alien enemies, and I am taking the liberty of enclosing a clipping from the New York Times, dated October 31, 1941, the most recent account to come to my attention.

This Department considers such publicity very unfortunate because it disturbs many thousands of aliens who, in the event of war, would be alien enemies only technically, makes them apprehensive regarding the treatment they may receive at the hands of the Government, and thus tends to increase opposition to any war and to divide the people on that issue. It seems most desirable that this be avoided.

In view of the fact that it has been agreed that the Immigration and Naturalization Service is to be responsible for the temporary detention of suspected alien enemies pending the determination of their cases, I request your assistance to prevent giving to our large alien population the impression that the Government is preparing to round up large numbers of them and place them in such camps as the enclosed photograph depicts. Perhaps, under proper instructions from you, the Commanding Generals of the various corps areas might be of great assistance in avoiding unfortunate publicity of this kind.

Sincerely,

Francis Biddle

Attorney General

Enclosure

Encl 12-27-41

November 15, 1941.

PMGO 255 (Camp Upton, N.Y.)

MEMORANDUM for Mr. Bundy.

Subject: Publicity, Alien Enemy Camps.

1. By informal memorandum dated November 10, 1941, you referred to me a letter dated November 5, 1941 from the Honorable Francis Biddle, Attorney General, inclosing a clipping from the New York Times, dated October 31, 1941, containing a news-story and photograph pertaining to the alien enemy and prisoner of war camp being constructed at Camp Upton, New York. Mr. Biddle states that the Department of Justice considers such publicity very unfortunate.

2. In a telephone conversation with Brigadier General Ralph K. Robertson, Provost Marshal, Second Corps Area, General Robertson stated that the newspapers had already obtained photographs of the camp and the information was given for purposes of clarification only.

3. As a matter of interest, but scarcely worthy of inclusion in the reply to Mr. Biddle, is a photostatic copy of a clipping from the New York Times of November 13, 1941, the source of which is stated to be Mr. Biddle. The matter contained therein might be as disturbing to aliens as the subject clipping of basic letter.

4. There is inclosed a draft of a proposed reply to Mr. Biddle and a draft of a proposed letter to Corps Area and Department Commanders. I recommend no other action.

Allen W. Gullion,
Major General, U.S.A.,
The Provost Marshal General.

3 Incls -
Draft of Ltr. to Mr. Biddle
Draft of Ltr. to C.A. Commanders
Clipping N.Y. Times 11/13/41

WAR DEPARTMENT

WASHINGTON

WD 014.311 (11-5-41)MC

November 21, 1941.

The Honorable,
The Attorney General,
Washington, D. C.

Dear Mr. Attorney General:

I have your letter of November 5, 1941, inclosing a clipping from the New York Times, dated October 31, 1941, showing a photograph of the stockade at Camp Upton.

The matter of unfortunate publicity in this instance was taken up by telephone with a member of the staff of the Commanding General, Second Corps Area. He stated that it was only after the press had actually obtained photographs of the camp and had surmised the purpose that the minimum amount of information necessary to avoid possibly more unfortunate publicity was given.

I believe that you will agree that construction the size and nature of that disclosed by the published photograph cannot easily be concealed.

Every effort has been and is being made to minimize publicity in connection with prisoner of war camps. In the meantime the necessary construction must go on as a part of the preparation for National Defense.

Sincerely yours,

/s/ Henry L. Stimson,

Secretary of War.

DISPATCHED

NOV 22 1941

FROM A. G. O.

WD 014.311 (11-5-41)

encl 12-27-41

WAR DEPARTMENT

THE ADJUTANT GENERAL'S OFFICE

WASHINGTON

IN REPLY
REFER TO

SECRET

SUBJECT: Publicity Regarding Alien Detention Camps.

TO : Commanding General, All Corps Areas and Departments.

1. While it is realized that it is probably impossible to avoid some publicity with reference to the plans for alien enemy and prisoner of war detention camps, it is desired that every effort be made to discourage the Press from publishing photographs or news stories regarding such camps.

2. The majority of the public realize that the construction of such camps is a necessary part of the preparation for National Defense. Nevertheless it is deemed desirable that every effort be made to prevent giving to our large alien population the impression that the Government is preparing to round up large numbers of them and place them in concentration camps.

By order of the Secretary of War:

Adjutant General.

Approved H.L.S

See ltr., 11-24-41 AG 014.311 (11-5-41) MC-M, to CGs, Depts. & Corps Areas. AGO/

FILE NOV 25 1941

Based on draft prepared by A. and approved by Secretary of War Henry L. Stimson.

SECRET UNCLASSIFIED DOWNGRADED CONFIDENTIAL RESTRICTED

ADDRESS OFFICIAL COMMUNICATIONS TO
THE SECRETARY OF STATE
WASHINGTON, D. C.

DEPARTMENT OF STATE
WASHINGTON

In reply refer to
Le 740.00114 A European War 1939/1

November 6, 1941

Dear Mr. Secretary:

I am in receipt of your letter of October 24, 1941 stating that, in view of the recently reported instructions by the President to the Secretary of the Navy to keep shipping lanes open, there is a reasonable probability that in the near future the Navy will obtain custody of nationals of belligerent nations. You state that by a working agreement between the Army and the Navy, prisoners of war captured by the Navy are to be turned over to the Army for detention; that while a state of war does not legally obtain, a situation presents itself which requires action, and that the War Department is prepared, in case of "delivery of such nationals by the Navy, to take them into custody and to care for them in a manner in which prisoners of war are normally cared for in time of war".

The Honorable

Henry L. Stimson,
Secretary of War.

DEC 4
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P.M.G.

334.2
X 383.6 General

311 (11-6-41)

In response to your request for my comments, I submit the following observations:

Since the United States is not at war, it would seem to be inadvisable to give to nationals of belligerent countries, of whom custody may be obtained by the Navy under circumstances stated in your letter, a status comparable to that of prisoners of war. Such action would bring into operation various rules laid down with respect to the treatment of prisoners of war, at least some of which, as for example payment of compensation to officers and persons of similar rank (article 23 of the Prisoners of War convention between the United States and certain other countries, signed at Geneva July 27, 1929), would seem to be inappropriate to a situation such as is here contemplated.

It is believed that such persons should be treated as interned aliens rather than as prisoners of war. Article XIII of Hague Convention X of 1907, relating to the Adaptation to Naval War of the Principles of the Geneva Convention, to which the United States and Germany are parties, states that if shipwrecked persons are taken on board a neutral war-ship, every possible precaution must be taken that they do not again take part in the operations of the war. Somewhat similar

similar provisions are contained in article XV with respect to shipwrecked, sick, or wounded persons landed at a neutral port.

While the convention provides in Article XVIII that its provisions shall not apply except between Contracting Parties, and then only if all the belligerents are parties to the convention, and while Great Britain and Italy are not parties, nevertheless the provisions referred to may be regarded as a criterion as to the action that may be taken in such circumstances. In one instance at least during the World War, 1914-1918, the Dutch Government acting under article XIII interned the crew of the British submarine E-17 when rescued by a Dutch vessel of war.

The question as to whether such persons should be taken into custody and cared for by the War Department or by the immigration authorities, as is being done with respect to members of the crew of the German steamship Columbus, which was scuttled off our shores in December 1939, would seem to be one between the War Department and the Department of Justice, on which I express no view.

DEC - 4 '41

Sincerely yours,

RECEIVED MISC. DIV. ADJ

OCS/2/227-17

SECRET

WAR DEPARTMENT

OFFICE OF THE PROVOST MARSHAL GENERAL

WASHINGTON

November 19, 1941.

Aliens Division
PMG 014.311 - Alaska.

MEMORANDUM for the Deputy Chief of Staff.

Subject: Conduct and Control of Alien Enemies, Alaskan Peninsula.

1. Reference is made to the inclosed memorandum from the Assistant Secretary, General Staff, to The Provost Marshal General, dated November 12, 1941, in which it is stated that the comments and recommendations of The Provost Marshal General are desired "with respect to the memo submitted by G-2 (MID 383.4)) dated Nov. 10, 1941, on the above subject".

2. I concur with the comments in the memorandum of the Assistant Chief of Staff, G-2, and recommend that the War Department representatives on the Joint Committee between the Department of Justice and this department be instructed to advise the Justice Department representatives on that committee -

a. That the War Department considers desirable and practicable an amendment of the joint agreement whereby the Secretary of War shall be charged with the responsibility, through the military commander in such area, of carrying into effect any Presidential proclamation governing the conduct and control of alien enemies; and

b. That an amendment to such joint agreement to provide for the assumption of the investigative responsibility in the Alaskan Peninsula and the mentioned islands is not favorably regarded, but that any arrangements for shifting the burden of investigative responsibility in that area should be by mutual agreement between the Federal Bureau of Investigation, the Office of Naval Intelligence, and the Assistant Chief of Staff, G-2.

Allen W. Gullion,
Major General,
The Provost Marshal General.

3 Incls. -
Incl. 1. - Memo for TPMG from Asst. Sec., Gen. Staff, 11-12-41.
Incl. 2. - Memo for C/S from Asst. C/S, G-2, 11-10-41.
Incl. 3. - Memo for C/S from TPMG, 10-29-41, w/3 incls.

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(10-1-41)
ICS/21227-22



KILSOO K. HAAN
Washington Representative

"To Help China, Let's Help Korea Too!"

File

SINO-KOREAN PEOPLES' LEAGUE

101 D Street, N. E. WASHINGTON, D. C. Lincoln 5187

197-A

Dec. 4, 1941

My dear Secretary Early:

I am informed by my Japanese friends, that Envoy Saburo Kurusu's wife is the relative of Mrs. Henning of Chicago. One said that they are sisters another said that they are cousins - anyway both are former Miss Little of Chicago - now married to both important men in public.

If this is the truth, then Envoy Saburo Kurusu is the brother in law to Mr. Arthur Sears Henning - the chief of the Chicago Tribune Washington Bureau.

Obviously their relationship, gives Mr. Henning an advantage over others in getting news for Chicago Tribune.

Another Interesting Fact.

It is a legend among the Japanese Consular circles that the Chicago Tribune is the closest American daily to the Japanese Consular agents in America. For years the Japanese Imperial Consulate have had the office in the

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Hyde Park, N. Y.

Chicago Tribune building. I was in the Jap- Consulate for more than 3 years, I know how the Jap- Consular personals feel toward Chicago Tribune's traditional help toward Japan and their propaganda efforts.

So-Called Secret War Plan of U.S. Published by Chicago Tribune today- Obviously a Strategic Blow to U.S. National Defense.

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Knowing the close relationships of Jap- Consulate with Chicago Tribune in Chicago and the Tribune's manager Mr. Henning- relationship with Jap- Envoy Kurusu - One cannot help but being deeply concerned over this unfortunate revelation at this time of Pacific Crisis between Japan and U.S.A.

One can only hope that the Jap- Consulagents together with the cooperation of Envoy Kurusu will not get hold of the full information which the Tribune claims, they now possess in their hand.

Jap- Embassy and Consulate agents are clever, ~~clever~~ agents- I know what I am talking of- My humble prayer is, please God don't let the Japs get hold of the plans from Chicago Tribune.

One who know the Jap-agents
Kikuo K. Hasu

A NIGHT IN KOREA

Under the auspices of the American Defense Society (Planetaryan)
to Aid Korean Refugees in China

Sunday Evening, December 7, 1941
Doors open 7:30 p.m. . . . . Performance begins at 8:00 p.m. sharp

HOLLYWOOD AMERICAN LEGION AUDITORIUM
2035 Highland Avenue

Chairman .....Hon. Fletcher W. Bowron, Mayor of Los Angeles
(His Honor will be represented by Dr. Rockey)

Vice-Chairmen:
Hon. T. K. Chang, Chinese Consul; Rev. Key H. Chang, Korean Pastor; and the Princess Der Ling.

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...PROGRAM...

Presentation of American and Korean Flags .....Boy Scouts
"Stars and Stripes for Me" — Vocal Solo .....Phil Gatch
Korean National Anthem" .....Korean Methodist Choir

Introduction by the Rev. K. H. Chang of Mr. P. K. Kim
Director of Music and Dances

Korean Monk Dance .....Miss Lucille Kim
Vocal Solo — Korean Folk Song .....Mr. Frank Lee
Flirtation Dance .....Miss Anita Yoon, Miss Rose Lee
Mask Dance .....Mr. G. Y. Chung
Dance of the old moncatery monks
A Korean musical selection .....Korean Methodist Choir
Sword Dance ...Gloria and Marion Kim, and Charlotte and Lorna Dunn
Vocal Solo .....Yvette Dougay, M.G.M. Child Star

Introduction of Speaker .....Dr. Nathaniel Davis
"The Bill of Rights Celebration" .....Dr. John Lechner
Selection — "Our Bill of Rights" .....Mr. Elliot Carpenter

Introduction of ..... Korean Wedding .....Rev. Key H. Chang
Ceremonial Pantomine ..... Written by Mrs. Sung Tack Whang
Directed by Mr. Wheeler Dryden of the Charles Chaplin Studios
Narrated by Miss Alta Sanders

Ensemble of artists and Committee in grand finale
directed by Dr. Nathaniel A. Davis
Stage furnishings provided by See On Co.

Official proclamations and other public documents
December 7, 1941–April 20, 1942

APPENDIX

OFFICIAL DOCUMENTS RELATING TO EVACUATION

1. Proclamation, No. 2525, by the President, December 7, 1941.
2. Proclamation, No. 2526, by the President, December 8, 1941.
3. Proclamation, No. 2527, by the President, December 8, 1941.
4. Proclamation, No. 2533, by the President, December 29, 1941, amending proclamations relating to alien enemies.
5. Proclamation, No. 2537, by the President, January 14, 1942, regulations pertaining to alien enemies.
6. Department of Justice press release, January 29, 1942.
7. Department of Justice press release, January 31, 1942.
8. Department of Justice press release, February 2, 1942.
9. Department of Justice press release, February 4, 1942.
10. Department of Justice press release, February 4, 1942.
11. Department of Justice press release, February 7, 1942.
12. Executive Order, No. 9066, February 19, 1942, authorizing the Secretary of War to prescribe military areas.
13. Executive order No. 9095, March 11, 1942, establishing the Office of Alien Property Custodian and defining its functions and duties.
14. Executive Order No. 9106, March 18, 1942, establishing the War Relocation Authority.
15. Public proclamation, No. 1, by western defense command, March 2, 1942.
16. Public proclamation, No. 2, by western defense command, March 16, 1942.
17. Public proclamation, No. 3, by western defense command, March 24, 1942.
18. Public proclamation, No. 4, by western defense command, March 27, 1942.
19. Public proclamation, No. 5, by western defense command, March 30, 1942.
20. Civilian exclusion order, No. 1, by western defense command, March 24, 1942.
21. Civilian exclusion order, No. 2, by western defense command, March 30, 1942.
22. Civilian exclusion order, No. 3, by western defense command, March 30, 1942.
23. Civilian exclusion order, No. 4, by western defense command, April 1, 1942.
24. Civilian exclusion order, No. 5, by western defense command, April 1, 1942.
25. Civilian exclusion order, No. 6, by western defense command, April 7, 1942.
26. Civilian exclusion order, No. 7, by western defense command, April 20, 1942.
27. Civilian exclusion order, No. 8, by western defense command, April 20, 1942.
28. Civilian exclusion order, No. 9, by western defense command, April 20, 1942.
29. Application for exemption from military evacuation, western defense command.
30. Information and instructional bulletin by western defense command, procedures for obtaining exemptions from evacuation and curfew.
31. Memorandum of functions and operations of the evacuee property department of the Federal Reserve Bank of San Francisco, March 11, 1942.
32. Circular No. 1, evacuee property department, Federal Reserve Bank of San Francisco, March 18, 1942.

No. 1. By the President of the United States of America

A Proclamation—No. 2525

AUTHORITY

Whereas it is provided by section 21 of title 50 of the United States Code as follows:

> "Whenever there is a declared war between the United States and any foreign nation or government, or any invasion or predatory incursion is perpetrated, attempted, or threatened against the territory of the United States by any foreign nation or government, and the President makes public proclamation of the event, all natives, citizens, denizens, or subjects of the hostile nation or government, being of the age of fourteen years and upward, who shall be within the United States and not actually naturalized, shall be liable to be apprehended, restrained, secured, and removed as alien enemies. The President is authorized in any such event, by his proclamation thereof, or other public act, to direct the conduct to be observed, on the part of the United States, toward the aliens who become so liable; the manner and degree of the restraint to which they shall be subject and in what cases, and upon what security their residence shall be permitted, and to provide for the removal of those who, not being permitted to reside within the United States, refuse or neglect to depart therefrom; and to establish any other regulations which are found necessary in the premises and for the public safety."

and

Whereas by sections 22, 23, and 24 of title 50 of the United States Code further provision is made relative to alien enemies:

Proclamation

Now, therefore, I, Franklin D. Roosevelt, as President of the United States and as Commander in Chief of the Army and Navy of the United States, do hereby make public proclamation to all whom it may concern that an invasion has been perpetrated upon the territory of the United States by the Empire of Japan.

CONDUCT TO BE OBSERVED BY ALIEN ENEMIES

And, acting under and by virtue of the authority vested in me by the Constitution of the United States and the said sections of the United States Code, I do hereby further proclaim and direct that the conduct to be observed on the part of the United States toward all natives, citizens, denizens, or subjects of the Empire of Japan being of the age of fourteen years and upwards who shall be within the United States or within any territories in any way subject to the jurisdiction of the United States and not actually naturalized, who for the purpose of this Proclamation and under such sections of the United States Code are termed alien enemies, shall be as follows:

All alien enemies are enjoined to preserve the peace towards the United States and to refrain from crime against the public safety, and from violating the laws of the United States and of the States and Territories thereof; and to refrain from actual hostility or giving information, aid, or comfort to the enemies of the United States or interfering by word or deed with the defense of the United States or the political processes and public opinions thereof; and to comply strictly with the regulations which are hereby or which may be from time to time promulgated by the President.

All alien enemies shall be liable to restraint, or to give security, or to remove and depart from the United States in the manner prescribed by Sections 23 and 24 of Title 50 of the United States Code, and as prescribed in the regulations duly promulgated by the President.

DUTIES AND AUTHORITY OF THE ATTORNEY GENERAL AND THE SECRETARY OF WAR

And, pursuant to the authority vested in me, I hereby charge the Attorney General with the duty of executing all the regulations hereinafter contained regarding the conduct of alien enemies within continental United States, Puerto Rico, the Virgin Islands and Alaska, and the Secretary of War with the duty of

executing the regulations which are hereinafter set forth and which may be hereafter adopted regarding the conduct of alien enemies in the Canal Zone, the Hawaiian Islands, and the Philippine Islands. Each of them is specifically directed to cause the apprehension of such alien enemies as in the judgment of each are subject to apprehension or deportation under such regulations. In carrying out such regulations within the continental United States, Puerto Rico, the Virgin Islands, and Alaska, the Attorney General is authorized to utilize such agents, agencies, officers and departments of the United States and of the several states, territories, dependencies and municipalities thereof and of the District of Columbia as he may select for the purpose. Similarly the Secretary of War in carrying out such regulations in the Canal Zone, the Hawaiian Islands, and the Philippine Islands is authorized to use such agents, agencies, officers and departments of the United States and of the territories, dependencies, and municipalities thereof as he may select for the purpose. All such agents, agencies, officers, and departments are hereby granted full authority for all acts done by them in the execution of such regulations when acting by direction of the Attorney General or the Secretary of War, as the case may be.

REGULATIONS

And, pursuant to the authority vested in me, I hereby declare and establish the following regulations which I find necessary in the premises and for the public safety:

(1) No alien enemy shall enter or be found within the Canal Zone and no alien enemy shall enter or leave the Hawaiian Islands or the Philippine Islands except under such regulations as the Secretary of War shall from time to time prescribe. Any alien enemy found in the Canal Zone, the Hawaiian Islands, or the Philippine Islands in violation of any such regulations and any alien enemy who enters or is found within any restricted area to be hereafter prescribed by the Military Commanders of each such territory in the Canal Zone, the Hawaiian Islands, and the Philippine Islands, may be immediately apprehended by authority of the Military Governors in each such territory, or if there be no Military Governor, then by authority of the Secretary of War, and detained until it is determined, under the regulations to be prescribed by the Secretary of War, whether any such alien enemy should be permanently interned following which such alien enemy shall either be released, released on bond, or permanently interned, as the case may be.

(2) The exercise of the power to prescribe restricted areas and the power of arrest, detention, and internment of alien enemies in the Canal Zone, the Hawaiian Islands, or the Philippine Islands shall be under the jurisdiction of the Military Commanders of each such territory, each acting under such regulations as the Secretary of War shall hereafter prescribe.

(3) No alien enemy shall enter or leave Alaska, Puerto Rico, or the Virgin Islands except under such regulations as the Attorney General shall from time to time prescribe. Any alien enemy found in Alaska, Puerto Rico, or the Virgin Islands in violation of any such regulations and any alien enemy who enters or is found within any restricted area to be hereafter prescribed by the military Commanders of each such territory in Alaska, Puerto Rico, and by the Naval Commander in the Virgin Islands, shall be immediately apprehended by the authority of the Attorney General acting through the United States Attorney in each such territory and detained until it is determined, under the regulations to be prescribed by the Attorney General, whether any such alien enemy shall either be released, released on bond, or permanently interned, as the case may be.

(4) The Military Commanders in Alaska and Puerto Rico and the Naval Commander in the Virgin Islands shall have the power to prescribe restricted areas.

(5) No alien enemy shall have in his possession, custody, or control at any time or place or use or operate any of the following enumerated articles:

a. Firearms.
b. Weapons or implements of war or component parts thereof.
c. Ammunition.
d. Bombs.
e. Explosives or material used in the manufacture of explosives.
f. Short-wave radio receiving sets.
g. Transmitting sets.
h. Signal devices.
i. Codes or ciphers.
j. Cameras.

k. Papers, documents or books in which there may be invisible writing; photograph, sketch, picture, drawing, map, or graphical representation of any military or naval installations or equipment or of any arms, ammunition, implements of war, device, or thing used or intended to be used in the combat equipment of the land or naval forces of the United States or of any military or naval post, camp, or station.

All such property found in the possession of any alien enemy in violation of the foregoing regulations shall be subject to seizure and forfeiture.

(6) No alien enemy shall undertake any air flight or ascend into the air in any airplane, aircraft, or balloon of any sort, whether owned governmentally, commercially or privately, except that travel by an alien enemy in airplane or aircraft may be authorized by the Attorney General, or his representative, or the Secretary of War or his representative in their respective jurisdictions, under such regulations as they shall prescribe.

(7) Alien enemies deemed dangerous to the public peace or safety of the United States by the Attorney General or Secretary of War, as the case may be, are subject to summary apprehension. Such apprehension shall be made in the continental United States, Alaska, Puerto Rico, and the Virgin Islands by such duly authorized officer of the Department of Justice as the Attorney General may determine. In the Canal Zone, the Hawaiian Islands, and the Philippine Islands, such arrests shall be made by the Military Commanders in each such territory by authority of the respective Military Governors thereof, and if there be no Military Governor, then by authority of the Secretary of War. Alien enemies arrested shall be subject to confinement in such place of detention as may be directed by the officers responsible for the execution of these regulations and for the arrest, detention, and internment of alien enemies in each case, or in such other places of detention as may be directed from time to time by the Attorney General, with respect to continental United States, Alaska, Puerto Rico, and the Virgin Islands, and by the Secretary of War with respect to the Canal Zone, the Hawaiian Islands, and the Philippine Islands, and there confined until he shall have received such permit as the Attorney General or the Secretary of War, with respect to the Canal Zone, the Hawaiian Islands, and the Philippine Islands, shall prescribe.

(8) No alien enemy shall land in, enter or leave or attempt to land in, enter or leave the United States, except under the regulations prescribed by the President in his Proclamation dated November 14, 1941, and the regulations promulgated thereunder or any proclamation or regulation promulgated hereafter.

(9) Whenever the Attorney General of the United States, with respect to the continental United States, Alaska, Puerto Rico and the Virgin Islands, or the Secretary of War, with respect to the Canal Zone, the Hawaiian Islands, and the Philippine Islands, deems it to be necessary, for the public safety and protection, to exclude alien enemies from a designated area, surrounding any fort, camp, arsenal, airport, landing field, aircraft station, electric or other power plant, hydroelectric dam, government naval vessel, navy yard, pier, dock, dry dock, or any factory, foundry, plant, workshop, storage yard, or warehouse for the manufacture of munitions or implements of war or any thing of any kind, nature or description for the use of the Army, the Navy or any country allied or associated with the United States, or in any wise connected with the national defense of the United States, or from any locality in which residence by an alien enemy shall be found to constitute a danger to the public peace and safety of the United States or from a designated area surrounding any canal or any wharf, pier, dock, or dry dock used by ships or vessels of a designated tonnage engaged in foreign or domestic trade, or of any warehouse, shed, elevator, railroad terminal, depot, or yard or other terminal, storage or transfer facility, then no alien enemy shall be found within such area or the immediate vicinity thereof. Any alien enemy found within any such area or the immediate vicinity thereof prescribed by the Attorney General or the Secretary of War, as the case may be, pursuant to these regulations, shall be subject to summary apprehension and to be dealt with as hereinabove prescribed.

(10) With respect to the continental United States, Alaska, Puerto Rico, and the Virgin Islands, an alien enemy shall not change his place of abode or occupation or otherwise travel or move from place to place without full compliance with any such regulations as the Attorney General of the United States may, from time to time, make and declare; and the Attorney General is hereby authorized to make and declare, from time to time, such regulations concerning the movements of alien enemies within the continental United States, Alaska, Puerto Rico and the Virgin Islands, as he may deem necessary in the premises and for the public safety.

(11) With respect to the Canal Zone, the Hawaiian Islands and the Philippine Islands, an alien enemy shall not change his place of abode or occupation or otherwise travel or move from place to place without full compliance with any such regulations as the Secretary of War may, from time to time, make and declare; and the Secretary of War is hereby authorized to make and declare, from time to time, such regulations concerning the movements of alien enemies within the Canal Zone, the Hawaiian Islands, and the Philippine Islands as he may deem necessary in the premises and for the public safety.

(12) No alien enemy shall enter or be found in or upon any highway, waterway, airway, railway, railroad, subway, public utility, building, place or thing not open and accessible to the Public generally, and not generally used by the public.

(13) No alien enemy shall be a member or an officer of, or affiliated with, any organization, group or assembly hereafter designated by the Attorney General, nor shall any alien enemy advocate, defend, or subscribe to the acts, principles or policies thereof, attend any meetings, conventions, or gatherings thereof or possess or distribute any literature, propaganda or other writings or productions thereof.

This proclamation and the regulations herein contained shall extend and apply to all land and water, continental or insular, in any way within the jurisdiction of the United States.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington, this 7th day of December in the year of our Lord one thousand nine hundred and forty-one, of the independence of the United States of America the one hundred and sixty-sixth.

FRANKLIN D. ROOSEVELT.

By the President:

CORDELL HULL,
Secretary of State.

No. 2. BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION—No. 2526

AUTHORITY

WHEREAS it is provided by section 21 of title 50 of the United States Code as follows:

> "Whenever there is a declared war between the United States and any foreign nation or government, or any invasion or predatory incursion is perpetrated, attempted, or threatened against the territory of the United States by any foreign nation or government, and the President makes public proclamation of the event, all natives, citizens, denizens, or subjects of the hostile nation or government, being of the age of fourteen years and upward, who shall be within the United States and not actually naturalized, shall be liable to be apprehended, restrained, secured, and removed as alien enemies. The President is authorized in any such event, by his proclamation thereof, or other public act, to direct the conduct to be observed, on the part of the United States, toward the aliens who become so liable; the manner and degree of the restraint to which they shall be subject and in what cases, and upon what security their residence shall be permitted, and to provide for the removal of those who, not being permitted to reside within the United States, refuse or neglect to depart therefrom; and to establish any other regulations which are found necessary in the premises and for the public safety."

AND WHEREAS by sections 22, 23, and 24 of title 50 of the United States Code, further provision is made relative to alien enemies:

PROCLAMATION

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, as President of the United States and as Commander in Chief of the Army and Navy of the United States, do hereby make public proclamation to all whom it may concern that an invasion

or predatory incursion is threatened upon the territory of the United States by Germany.

CONDUCT TO BE OBSERVED BY ALIEN ENEMIES

And, acting under and by virtue of the authority vested in me by the Constitution of the United States and the said sections of the United States Code, I do hereby further proclaim and direct that the conduct to be observed on the part of the United States toward all natives, citizens, denizens or subjects of Germany being of the age of fourteen years and upwards who shall be within the United States or within any territories in any way subject to the jurisdiction of the United States and not actually naturalized, who for the purpose of this Proclamation and under such sections of the United States Code are termed alien enemies, shall be as follows:

All alien enemies are enjoined to preserve the peace towards the United States and to refrain from crime against the public safety, and from violating the laws of the United States and of the States and Territories thereof; and to refrain from actual hostility or giving information, aid or comfort to the enemies of the United States or interfering by word or deed with the defense of the United States or the political processes and public opinions thereof; and to comply strictly with the regulations which are hereby or which may be from time to time promulgated by the President.

All alien enemies shall be liable to restraint, or to give security, or to remove and depart from the United States in the manner prescribed by sections 23 and 24 of title 50 of the United States Code, and as prescribed in the regulations duly promulgated by the President.

DUTIES AND AUTHORITY OF THE ATTORNEY GENERAL AND THE SECRETARY OF WAR

And, pursuant to the authority vested in me, I hereby charge the Attorney General with the duty of executing all the regulations hereinafter prescribed regarding the conduct of alien enemies within continental United States, Puerto Rico, the Virgin Islands, and Alaska, and the Secretary of War with the duty of executing the regulations which are hereinafter prescribed and which may be hereafter adopted regarding the conduct of alien enemies in the Canal Zone, the Hawaiian Islands, and the Philippine Islands. Each of them is specifically directed to cause the apprehension of such alien enemies as in the judgment of each are subject to apprehension or deportation under such regulations. In carrying out such regulations within the continental United States, Puerto Rico, the Virgin Islands, and Alaska, the Attorney General is authorized to utilize such agents, agencies, officers, and departments of the United States and of the several states, territories, dependencies, and municipalities thereof and of the District of Columbia as he may select for the purpose. Similarly the Secretary of War in carrying out such regulations in the Canal Zone, the Hawaiian Islands, and the Philippine Islands is authorized to use such agents, agencies, officers, and departments of the United States and of the territories, dependencies, and municipalities thereof as he may select for the purpose. All such agents, agencies, officers, and departments are hereby granted full authority for all acts done by them in the execution of such regulations when acting by direction of the Attorney General or the Secretary of War, as the case may be.

REGULATIONS

The regulations contained in Proclamation No. 2525 of December 7, 1941, relative to natives, citizens, denizens or subjects of Japan are hereby incorporated in and made a part of this proclamation, and shall be applicable to alien enemies defined in this proclamation.

This proclamation and the regulations herein prescribed shall extend and apply to all land and water, continental or insular, in any way within the jurisdiction of the United States.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

DONE at the City of Washington this 8th day of December in the year of our Lord nineteen hundred and forty-one, and of the Independence of the United States of America the one hundred and sixty-sixth.

By the President:

_____ _____,

Secretary of State.

No. 3 By the President of the United States of America

A Proclamation—No. 2527

AUTHORITY

Whereas it is provided by Section 21 of Title 50 of the United States Code as follows:

> "Whenever there is a declared war between the United States and any foreign nation or government, or any invasion or predatory incursion is perpetrated, attempted, or threatened against the territory of the United States by any foreign nation or government, and the President makes public proclamation of the event, all natives, citizens, denizens, or subjects of the hostile nation or government, being of the age of fourteen years and upward, who shall be within the United States and not actually naturalized, shall be liable to be apprehended, restrained, secured, and removed as alien enemies. The President is authorized in any such event, by his proclamation thereof, or other public act, to direct the conduct to be observed, on the part of the United States, toward the aliens who become so liable; the manner and degree of the restraint to which they shall be subject and in what cases, and upon what security their residence shall be permitted, and to provide for the removal of those, who, not being permitted to reside within the United States, refuse or neglect to depart therefrom; and to establish any other regulations which are found necessary in the premises and for the public safety."

And whereas by Sections 22, 23, and 24 of Title 50 of the United States Code further provision is made relative to alien enemies:

Proclamation

Now, therefore, I, Franklin D. Roosevelt, as President of the United States and as Commander in Chief of the Army and Navy of the United States, do hereby make public proclamation to all whom it may concern that an invasion or predatory incursion is threatened upon the territory of the United States by Italy.

CONDUCT TO BE OBSERVED BY ALIEN ENEMIES

And, acting under and by virtue of the authority vested in me by the Constitution of the United States and the said sections of the United States Code, I do hereby further proclaim and direct that the conduct to be observed on the part of the United States toward all natives, citizens, denizens, or subjects of Italy being of the age of fourteen years and upwards who shall be within the United States or within any territories in any way subject to the jurisdiction of the United States and not actually naturalized, who for the purpose of this Proclamation and under such sections of the United States Code are termed alien enemies, shall be as follows:

All alien enemies are enjoined to preserve the peace towards the United States and to refrain from crime against the public safety, and from violating the laws of the United States and of the States and Territories thereof; and to refrain from actual hostility or giving information, aid, or comfort to the enemies of the United States or interfering by work or deed with the defense of the United States or the political processes and public opinions thereof; and to comply strictly with the regulations which are hereby or which may be from time to time promulgated by the President.

All alien enemies shall be liable to restraint, or to give security, or to remove and depart from the United States in the manner prescribed by Sections 23 and 24 of Title 50 of the United States Code, and as prescribed in the regulations duly promulgated by the President.

DUTIES AND AUTHORITY OF THE ATTORNEY GENERAL AND THE SECRETARY OF WAR

And, pursuant to the authority vested in me, I hereby charge the Attorney General with the duty of executing all the regulations hereinafter prescribed regarding the conduct of alien enemies within continental United States, Puerto Rico, the Virgin Islands, and Alaska, and the Secretary of War with the duty of executing the regulations which are hereinafter prescribed and which may be hereafter adopted regarding the conduct of alien enemies in the Canal Zone, the

Hawaiian Islands, and the Philippine Islands. Each of them is specifically directed to cause the apprehension of such alien enemies as in the judgment of each are subject to apprehension or deportation under such regulations. In carrying out such regulations within the continental United States, Puerto Rico, the Virgin Islands, and Alaska, the Attorney General is authorized to utilize such agents, agencies, officers, and departments of the United States and of the several states, territories, dependencies, and municipalities thereof and of the District of Columbia as he may select for the purpose. Similarly the Secretary of War in carrying out such regulations in the Canal Zone, the Hawaiian Islands, and the Philippine Islands is authorized to use such agents, agencies, officers, and departments of the United States and of the territories, dependencies, and municipalities thereof as he may select for the purpose. All such agents, agencies, officers, and departments are hereby granted full authority for all acts done by them in the execution of such regulations when acting by direction of the Attorney General or the Secretary of War, as the case may be.

REGULATIONS

The regulations contained in Proclamation No. 2525 of December 7, 1941, relative to natives, citizens, denizens, or subjects of Japan are hereby incorporated in and made a part of this proclamation, and shall be applicable to alien enemies defined in this proclamation.

This proclamation and the regulations herein prescribed shall extend and apply to all land and water, continental or insular, in any way within the jurisdiction of the United States.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

DONE at the City of Washington this 8th day of December in the year of our Lord nineteen hundred and forty-one, and of the Independence of the United States of America the one hundred and sixty-sixth.

By the President:

_____,
Secretary of State.

No. 4. AMENDING PROCLAMATIONS RELATING TO ALIEN ENEMIES

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION—No. 2533

WHEREAS Proclamations No. 2525 of December 7, 1941, and Nos. 2526 and 2527 of December 8, 1941, relating to alien enemies, charge the Attorney General with the duty of executing all the regulations therein prescribed regarding the conduct of alien enemies within Alaska, and confer certain authority upon him with respect to such duty; and

WHEREAS it appears that it would be desirable for administrative purposes to transfer such duty and authority to the Secretary of War:

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, as President of the United States and as Commander in Chief of the Army and Navy of the United States, do proclaim that the duty imposed upon the Attorney General by the aforesaid proclamations of executing all the regulations therein prescribed regarding the conduct of alien enemies within Alaska, and the authority conferred upon him with respect to such duty, are hereby transferred to the Secretary of War.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

DONE at the City of Washington this 29th day of December in the year of our ord nineteen hundred and forty-one, and of the independence of the United States of America the one hundred and sixty-sixth.

(Signed) FRANKLIN D. ROOSEVELT.

By the President:
(Signed) CORDELL HULL,
Secretary of State.

No. 5. REGULATIONS PERTAINING TO ALIEN ENEMIES

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION—No. 2537

WHEREAS, section 21 of title 50 of the United States Code provides as follows:

"Whenever there is a declared war between the United States and any foreign nation or government, or any invasion or predatory incursion is perpetrated, attempted, or threatened against the territory of the United States by any foreign nation or government, and the President makes public proclamation of the event, all natives, citizens, denizens, or subjects of the hostile nation or government, being of the age of fourteen years and upward, who shall be within the United States and not actually naturalized, shall be liable to be apprehended, restrained, secured, and removed as alien enemies. The President is authorized in any such event, by his proclamation thereof, or other public act, to direct the conduct to be observed on the part of the United States toward the aliens who become so liable, the manner and degree of the restraint to which they shall be subject, and in what cases and upon what security their residence shall be permitted, and to provide for the removal of those who, not being permitted to reside within the United States, refuse or neglect to depart therefrom; and to establish any other regulations which are found necessary in the premises and for the public safety";

WHEREAS by sections 22, 23, and 24 of title 50 of the United States Code further provision is made relative to alien enemies;

WHEREAS by Proclamation No. 2525 of December 7, 1941, and Proclamations Nos. 2526 and 2527 of December 8, 1941, I prescribed and proclaimed certain regulations governing the conduct of alien enemies; and

WHEREAS I find it necessary in the interest of national defense to prescribe regulations additional and supplemental to such regulations:

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, acting under and by virtue of the authority vested in me by the Constitution of the United States and the aforesaid sections of the United States Code, do hereby prescribe and proclaim the following regulations, additional and supplemental to those prescribed by the aforesaid proclamations of December 7, 1941, and December 8, 1941:

All alien enemies within the continental United States, Puerto Rico, and the Virgin Islands are hereby required, at such times and places and in such manner as may be fixed by the Attorney General of the United States, to apply for and acquire certificates of identification; and the Attorney General is hereby authorized and directed to provide, as speedily as may be practicable, for the receiving of such applications and for the issuance of appropriate identification certificates, and to make such rules and regulations as he may deem necessary for effecting such identifications; and all alien enemies and all other persons are hereby required to comply with such rules and regulations. The Attorney General in carrying out such identification procedure, is hereby authorized to utilize such agents, agencies, officers and departments of the United States and of the several states, territories, dependencies, and municipalities thereof and of the District of Columbia as he may select for the purpose, and all such agents, agencies, officers, and departments are hereby granted full authority for all acts done by them in the execution of this regulation when acting by the direction of the Attorney General. After the date or dates fixed by the Attorney General for completion of such identification procedure, every alien enemy within the limits of the continental United States, Puerto Rico, or the Virgin Islands shall at all times have his identification card on his person.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this 14th day of January in the year of our Lord nineteen hundred and forty-two, and of the Independence of the United States of America the one hundred and sixty-sixth.

FRANKLIN D. ROOSEVELT.

By the President:

CORDELL HULL.
The Secretary of State.

[For immediate release January 29, 1942.]

No. 6. DEPARTMENT OF JUSTICE

Attorney General Francis Biddle announced today that under authority of the Presidential proclamations of December 7 and 8, 1941, controlling alien enemies, a number of areas on the west coast are being designated as prohibited areas from which all German, Italian, and Japanese alien enemies are to be completely excluded.

These prohibited areas have been recommended for selection by the War Department after weeks of careful study under the personal direction of Lt. Gen. J. L. DeWitt, commanding officer, Fourth Army and Western Defense Command. These recommendations were submitted to the Attorney General on Sunday, January 25, by the Secretary of War.

The recommendations so far submitted pertain only to prohibited areas in the State of California. The War Department has advised the Attorney General that further recommendations for other areas in California and in other States in the Western Defense Command will be submitted shortly.

Prohibited area No. 19 (the designation of the War Department) including part of the San Francisco water front in general covers the Embarcadero from pier No. 46 to pier No. 14, and the entire water front from China Basin to the Presidio Reservation boundary line. Area No. 33 in Los Angeles is a rectangle which includes the Municipal Airport and is bounded by the shore line on the west, Rosecrans Avenue on the south, Western Avenue on the east, and Manchester Avenue on the north. More exact descriptions will be given wide publicity in the areas affected.

The Attorney General tomorrow will designate 27 other prohibited areas which the War Department has recommended; and additional areas a few days later.

The final date after which no alien enemy may remain in or enter these two areas will be February 24. By that time all alien enemies in these areas will have their certificates of identification for which they must apply between February 2 and February 7, 1942.

The final date after which no alien enemy may remain in or enter these 27 areas will be February 15. Large numbers of alien enemies reside or are employed in prohibited areas Nos. 19 and 33 as distinguished from these 27 areas. It is, therefore, feasible to require removal and exclusion from these 27 areas at an earlier date.

The Department of Justice is being assisted in this program not only by the Departments of War and Navy, but also, among others, by the Departments of Labor and Treasury, the Farm Security Administration of the Department of Agriculture, the Federal Security Agency, the Work Projects Administration of the Federal Works Agency, and the Office of Facts and Figures.

In announcing the program, the Attorney General pointed out that the Federal Government which is in possession of all the facts is best equipped to take vigorous action in the interest of national security. He expressed his confidence that the program, requiring the coordination of all Federal and State agencies, will receive the cooperation of the entire public including the alien enemies involved. Their exclusion from the prohibited areas not only will aid national defense but also will protect the aliens themselves.

The Attorney General emphasized that, in the interests of an efficient and speedy solution of the problem, local officials and the public at large should leave this complicated program in the hands of the Federal Government and should not take conflicting action which might impede the program.

Thomas Clark who was appointed yesterday by the Attorney General as Coordinator of the Alien Enemy Control program for the Western Defense Command will be charged with execution of the plan.

[For immediate release Saturday, January 31, 1942.]

No. 7. DEPARTMENT OF JUSTICE

Attorney General Francis Biddle announced today 69 additional areas in California from which all alien enemies are to be excluded on and after February 15, 1942.

Two other prohibited areas, one in San Francisco and one in Los Angeles, were announced on Thursday. The evacuation of these areas was set for February 24 because of the large numbers of alien enemies, Japanese particularly,

either living or working in them. The 69 additional areas are, in many instances, only sparsely populated.

The designated areas were recommended to the Attorney General by the War Department. Authority for their evacuation is contained in Presidential proclamations of December 7 and 8, 1941, dealing with the control of alien enemies. Seventeen additional areas in California from which alien enemies are to be evacuated will be announced on Monday.

The 69 new areas announced today are as follows:

Prohibited area No. 1.—Del Norte County, including Crescent City commencing at the mouth of the Smith River and following up the Smith River to United States Highway No. 101; following southward on United States Highway No. 101 to crossing of Wilson Creek, then down Wilson Creek to the Pacific Ocean and north on the coast to point of beginning.

Prohibited area No. 2.—Humboldt County, including Trinidad commencing at the mouth of Redwood Creek, going up Redwood Creek to United States Highway No. 101, then south on United States Highway No. 101 to Little River, then down Little River to the Pacific Ocean and back along the coast to point of beginning.

Prohibited area No. 4.—Humboldt County, including Cape Mendocino and constituting the area embracing within a circle having a radius of one-half mile from Cape Mendocino Lighthouse.

Prohibited area No. 5.—Humboldt County, including Punta Gorda constituting the area embracing within a circle having a radius of one-half mile from Punta Gorda Lighthouse.

Prohibited area No. 7.—Mendocino County, including Point Arena commencing at the mouth of Adler Creek, thence up Adler Creek to State Highway No 1, thence south along State Highway No. 1 to Point Arena, thence west to Pacific Ocean, thence north along the coast to point of beginning.

Prohibited area No. 9.—Sonoma County, all of Skaggs Island (bounded by Sonoma Creek, Napa Slough, Hudman Slough, and Second Napa Slough).

Prohibited area No. 14.—Marin County, including Tiburon Peninsula commencing at the junction of State Highway No. 1 and United States Highway No. 101 at Mansanita thence north along United States Highway No. 101 to Tiburon Boulevard (east of Alto); thence east along Tiburon Boulevard to Tiburon, thence north and northwest along the shore of Tiburon Peninsula to United States Highway No. 101 at San Clemente, thence along United States Highway No. 101 to point of beginning.

Prohibited area No. 17.—Alameda County, including San Francisco Bay airdrome, commencing at Neptune Beach running north along Webster Street to Oakland Inner Harbor and thence westerly along the shore line of Oakland Inner Harbor to San Francisco Bay, thence along the shore line of San Francisco Bay to point of beginning.

Prohibited area No. 20.—San Francisco County, commencing at the mouth of Islais Creek Channel running west to Third Street, thence north on Third Street to El Dorado Street, thence east on El Dorado Street to the shore, thence along the shore to the point of beginning.

Prohibited area No. 21.—San Francisco County, the area bounded by Islais Creek Channel, easterly line of Davidson Avenue to the intersection of Mandell Street, thence east to the shore line, thence to the point of beginning.

Prohibited area No. 22.—San Francisco County, commencing at the intersection of the southeast line of Donahue Street with the shore line of San Francisco Bay, running southwest along Donahue Street to Jerrold Avenue, thence southeast along Jerrold Avenue to the shore line, thence along the shore line to the point of beginning.

Prohibited area No. 23.—San Mateo County, including Point San Bruno, the area within ½ mile of the radio towers located on Point San Bruno.

Prohibited area No. 24.—San Mateo County, including part of the town of San Bruno being the area bounded on the north by Walnut Street, on the east by Second Avenue, on the south by San Bruno Avenue and on the west by San Mateo Avenue.

Prohibited area No. 25.—San Mateo County, including part of Montara commencing at the mouth of San Vicenti Creek, running up San Vicenti Creek to State Highway No. 1, thence north on State Highway No. 1 to San Pedro Creek, thence down San Pedro Creek to Pacific Ocean, thence along shore line to point of beginning.

Prohibited area No. 27.—Santa Clara County, including Black Mountain. The area bounded on the northeast by the Southern Pacific Railroad tracks;

on the north by El Monte Avenue and Moody Road; on the west by Page Mill Road; on the southwest by the Monte Bello Road and the east by Stevens Creek Reservoir and Stevens Creek.

Prohibited area No. 29.—Monterey County, including Point Sur. The area embraced within a circle having a radius of 1 mile from Point Sur Lighthouse.

Prohibited area No. 30.—San Luis Obispo County, including Piedras Blancas Point. The area embraced within a circle having a radius of 1 mile from Piedras Blancas Point Lighthouse.

Prohibited area No. 35.—Los Angeles County. The area including part of West Hollywood comprising the area bounded by Almont, Melrose, and San Vicente Streets and Santa Monica Boulevard.

Prohibited area No. 37.—Los Angeles County. The area in Los Angeles bounded by Western Avenue, Sixty-second Street, West Gage Avenue and South St. Andrews Place.

Prohibited area No. 38.—Los Angeles County including part of Downey. Beginning at intersection of Imperial Highway and Bellflower Boulevard, thence north on Bellflower Boulevard to Firestone Boulevard, thence northwest on Firestone Boulevard to Downey Avenue, thence southwest on Downey Avenue to Imperial Highway, thence east on Imperial Highway to point of beginning.

Prohibitted area No. 39.—Los Angeles County including Long Beach Airport. Beginning at intersection of Cherry Avenue and Spring Street, thence east along Spring Street to Clarke Avenue, thence north on Clarke Avenue to Carson Street, thence west on Carson Street to Cherry Avenue, thence south on Cherry Avenue to point of beginning.

Prohibited area No. 40.—Los Angeles County including part of Huntington Park. Beginning at intersection of East Slauson Avenue and Regent Street thence south along Regent Street to Bellgrade Avenue, thence east along Bellgrade Avenue to Santa Fe Boulevard, thence north along Santa Fe Boulevard to East Slauson Avenue, thence west to point of beginning.

Prohibited area No. 41.—Los Angeles County including part of Vernon. Beginning at the intersection of East Twenty-seventh Street and Santa Fe Avenue, north along Santa Fe Avenue to entrance to Trailer Sales lot, thence west along fence to boundary of Consolidated Rock Products Co., thence south along fence to East Twenty-seventh Street, thence east to point of beginning.

Prohibited area No. 42.—Los Angeles County including part of north Hollywood. Beginning at intersection of Van Owen Street and Laurel Canyon Boulevard, thence east along Van Owen Street to Lankershim Street, thence north along Lankershim Street to Cohasset Street, thence west along Cohasset Street to Laurel Canyon Boulevard, thence south along Laurel Canyon Boulevard to point of beginning.

Prohibited area No. 43.—Los Angeles County. Beginning at intersection of Anaheim-Telegraph Road and Union Pacific Railroad tracks, thence southwest along Anaheim-Telegraph Road to Gaspar Street, thence northeast along Gaspar Street to Union Pacific Railroad tracks, thence along the south side of the tracks to point of beginning.

Prohibited area No. 44.—Los Angeles County including part of Burbank. Beginning at intersection of South San Fernando Boulevard and Providencia Street, thence southwest along Providencia Street to tracks of the Southern Pacific Railroad, thence southeast along the north side of the railroad tracks to Alameda Street, thence northeast along Alameda Street to San Fernando Boulevard, thence northwest to point of beginning.

Prohibited area No. 45.—Los Angeles County including part of Los Angeles. Beginning at intersection of South Central Avenue and East Sixteenth Street, thence southeast along East Sixteenth Street to Hooper Street, thence northeast along Hooper Street to East Fifteenth Street, thence northwest along East Fifteenth Street to South Central Avenue, thence southwest along South Central Avenue to point of beginning.

Prohibited area No. 46.—Los Angeles County including part of Burbank. Beginning at the intersections of Burbank Drive and Victory Boulevard, thence northwest to Empire Avenue, thence west on Empire Avenue to Lincoln Street, thence south on Lincoln Street to the Southern Pacific Railroad tracks, thence southeast along the north side of the Southern Pacific Railroad tracks to point of beginning.

Prohibited area No. 47.—Los Angeles County including part of Burbank. Beginning at the intersection of San Fernando Boulevard and Cohasset Street, thence west along Cohasset Street to Vineland Avenue, thence south along Vineland Avenue to Victory Boulevard, thence east along Victory Boulevard to Hollywood

Way, thence north along Hollywood Way to Empire Avene, thence east on Empire Avenue to Ontario Street, thence north on Ontario Street to San Fernando Boulevard, thence northwest on San Fernando Boulevard to point of beginning.

Prohibited area No. 49.—Fall River Mills, Shasta County. The area within 1,000 feet in any direction from pit No. 1, Pacific Gas & Electric Co.

Prohibited area No. 50.—Burney, Shasta County. The area within a distance of 1,000 feet in any direction from pit No. 3, Pacific Gas & Electric Co.

Prohibited area No. 51.—Caribou, Plumas County. The area within a distance of 1,000 feet in any direction from the Caribou plant of the Pacific Gas & Electric Co.

Prohibited area No. 52.—Storrie, Plumas County. The area within a distance of 1,000 feet in any direction from the Bucks Creek plant.

Prohibited area No. 53.—Las Plumas, Butte County. The area within a distance of 1,000 feet in any direction from the Big Bend plant of the Pacific Gas & Electric Co.

Prohibited area No. 54.—Alta, Placer County. The area within a distance of 1,000 feet in any direction from the Drum plant of the Pacific Gas & Electric Co.

Prohibited area No. 55.—Placerville,. El Dorado County. The area within a distance of 500 feet in any direction from the El Dorado plant of the Pacific Gas & Electric Co.

Prohibited area No. 56.—Jackson, Amador County. The area within a distance of 500 feet in any direction from the electric plant of the Pacific Gas & Electric Co.

Prohibited area No. 57.—Jackson, Amador County. The area within a distance of 1,000 feet from the Tiger Creek plant of the Pacific Gas & Electric Co.

Prohibited area No. 58.—Stanislaus, Tuolumne County. The area within a distance of 500 feet in any direction from the Stanislaus plant of the Pacific Gas & Electric Co.

Prohibited area No. 59.—Jamestown, Tuolumne County. The area within a distance of 500 feet in any direction from the Melones plant of the Pacific Gas & Electric Co.

Prohibited area No. 60.—North Fork, Madera County. The area within a distance of 500 feet in any direction from A. G. Wishon plant of the Pacific Gas & Electric Co.

Prohibited area No. 61.—Auberry, Fresno County. The area within a distance of 500 feet in any direction from the Kerckhoff Plant of the Pacific Gas & Electric Co.

Prohibited area No. 62.—Fresno County. The area within a distance of 500 feet in any direction from Balch plant of the Pacific Gas & Electric Co.

Prohibited area No. 63.—Shasta County. The area within a distance of 300 feet in any direction from the center line of the Lake Britton Dam of the Pacific Gas & Electric Co.

Prohibited area No. 64.—Plumas County. The area within a distance of 300 feet in any direction from the center line of the Lake Almanor Dam of the Pacific Gas & Electric Co.

Prohibited area No. 65.—Nevada County. The area within a distance of 300 feet in any direction from the center line of Lake Spaulding Dam of the Pacific Gas & Electric Co.

Prohibited area No. 66.—Plumas County. The area within a distance of 300 feet in any direction from the center line of Bucks Storage Dam of the Pacific Gas & Electric Co.

Prohibited area No. 67.—Plumas County. The area within a distance of 300 feet in any direction from the center line of the Butte Valley Dam of the Pacific Gas & Electric Co.

Prohibited area No. 68.—Amador and Calaveras Counties. The area within a distance of 500 feet from the Pardee hydro-electric generating plant of East Bay municipal utility district on Mokelumne River.

Prohibited area No. 69.—Amador and Calaveras Counties. The area within a distance of 300 feet from the Jackson Dam of East Bay municipal utility district on Mokelumne River.

Prohibited area No. 70.—Tuolumne County. The area within a distance of 500 feet in any direction from the Early Intake hydroelectric generating plant of city and county of San Francisco located on Middle Fork Tuolumne River.

Prohibited area No. 71.—Tuolumne County. The area within a distance of 1,000 feet in any direction from Moccasin Creek hydroelectric generating plant of the city and county of San Francisco located on Toulumne River.

Prohibited area No. 72.—Tuolumne County. The area within a distance of 1,000 feet in any direction from O'Shaughnessy Dam hydroelectric generating plant of the city and county of San Francisco located in the western end of Hetch Hetchy Reservoir.

Prohibited area No. 73.—Fresno County. The area within a distance of 1,000 feet in any direction from Big Creek hydroelectric generating plant No. 1 of the Southern California Edison Co.

Prohibited area No. 74.—Fresno County. The area within a distance of 1,000 feet in any direction from Big Creek hydroelectirc generating plant No. 2 of the Southern California Edison Co.

Prohibited area No. 75.—Fresno County. The area within a distance of 1,000 feet in any direction from Big Creek hydroelectric generating plant No. 2A of the Southern California Edison Co.

Prohibited area No. 76.—Fresno County. The area within a distance of 1,000 feet in any direction from Big Creek hydroelectric generating plant No. 8 of the Southern California Edison Co.

Prohibited area No. 77.—Fresno County. The area within a distance of 1,000 feet in any direction from Big Creek hydroelectric generating plant No. 3 of the Southern California Edison Co.

Prohibited area No. 78.—Kern County. The area within a distance of 1,000 feet in any direction from Magunden substation of the Southern California Edison Co.

Prohibited area No. 79.—Fresno County. The area within a distance of 500 feet in any direction from Piedra substation of the Southern California Edison Co.

Prohibited area No. 80.—Kern County. The area within a distance of 500 feet in any direction from the central station of the California Electric Power Co.

Prohibited area No. 81.—The area a distance of 1,000 feet in any direction from the center line of the Parker Dam on the Colorado River and within a distance of 1,000 feet in any direction from the power plant of the metropolitan water district of southern California located at Parker Dam on the Colorado River.

Prohibited area No. 82.—The area within a distance of 500 feet in any direction from the intake pumping plant on the Colorado River of the metropolitan water district of southern California located 2 miles above Parker Dam.

Prohibited area No. 83.—The area within a distance of 500 feet in any direction from Gene Reservoir pumping plant of metropolitan water district of southern California located 3 miles west of Parker Dam.

Prohibited area No. 84.—Riverside County. The area within a distance of 300 feet in any direction from the center line of Copper Basin Dam of metropolitan water district of southern California located 2 miles west of Gene Reservoir pumping plant on the Colorado River aqueduct.

Prohibited area No. 85.—San Bernardino County. The area within a distance of 500 feet in any direction from the Iron Mountain pumping plant of metropolitan water district located 70 miles west of Parker Dam on the Colorado River aqueduct.

Prohibited area No. 86.—Riverside County. The area within a distance of 500 feet in any direction from Eagle Mountain pumping plant on metropolitan water district located 110 miles west of Parker Dam on the Colorado River aqueduct.

Prohibited area No. 87.—Riverside County. The area within a distance of 500 feet in any direction from the Hayfield Mountain pumping plant 130 miles west of Parker Dam on the Colorado River aqueduct.

Prohibited area No. 88.—Keeler, Inyo County. The area within a distance of 500 feet in any direction from Keeler plant of the Sierra Talc Co.

[For immediate release Monday, February 2, 1942.]

No. 8. DEPARTMENT OF JUSTICE

Attorney General Francis Biddle announced today 15 additional areas in California from which all alien enemies are to be excluded on or after February 24, 1942. This brings to 86 the total of such areas which the Attorney General, on the recommendation of the War Department, has declared to be prohibited to German, Italian, and Japanese aliens.

The 15 areas designated today are as follows:

Prohibited area No. 3.—Humboldt County, including Eureka and Humboldt Bay, and commencing at the mouth of the Mad River and following up Mad River to United States Highway No. 101; then southward on United States Highway No. 101 to the Eel River, then down Eel River to the Pacific Ocean, and up along the coast to the point of beginning.

Prohibited area No. 6.—Mendocino County, including Fort Bragg and Mendocino, and commencing at the mouth of South Fork Ten Mile River, thence up the South Fork Ten Mile River to State Highway No. 1, turning south along State Highway No. 1 to the Navarro River, then down to Navarro River to the Pacific Ocean, thence north along the coast to the point of beginning.

Prohibited area No. 8.—Sonoma and Marin Counties, including the Bays of Bodega and Tomales and the cities of Bodega and Tomales, and commencing at the mouth of Salmon Creek going up Salmon Creek to State Highway No. 1, turning south on State Highway No. 1 to United States Highway No. 101, following south along United States Highway No. 101 to the northern boundary line of the military reservations of Forts Baker and Barry, then along the northern boundary line of Forts Baker, Barry, and Cronkhite to the Pacific Ocean, then up the coast to the point of beginning.

Prohibited area No. 10.—Solano County, including Vallejo and commencing at the north end of the Carquinez toll bridge, then north along United States Highway No. 40 to the intersection of Highway No. 40 and an unnamed highway which extends between Sulphur Springs and Flosden just north of Lake Chabot, following the said unnamed highway westward to Flosden, then southwest along State Highway No. 48 to the westerly boundary of the Mare Island, United States Navy Yard; continuing south along that western boundary of the Mare Island, United States Navy Yard, to San Pablo Bay, and following in a southeasterly direction the shore line of Mare Island and across Mare Island Strait to the point of beginning.

Prohibited area No. 12.—Solano and Contra Costa Counties, including Nichols, Ambrose, and West Pittsburg, and commencing on the bank of the Sacramento River just west of Middle Point. The boundary line of this area then runs south along an unnamed road to the Contra Costa Canal, then easterly along the Contra Costa Canal to the road which is immediately east of the Black Diamond Railroad, then south along the road through Nortonville and Summerville; then east along said road, to a certain road running north to Antioch, continuing north along the latter road through Antioch to the bank of the San Joaquin River opposite Kimball Island.

Prohibited area No. 13.—Contra Costa and Alameda Counties, including part of Berkeley, and commencing at the west end of Berkeley municipal fishing pier. The line runs then east along said pier to University Avenue, then east along University Avenue to Grove Street, then north along Grove Street to Arlington Avenue, then continues north along Arlington Avenue to Barret Avenue to United States Highway No. 40, follows United States Highway No. 40 north to San Pablo Creek Road, then along San Pablo Creek Road easterly to the road across Sobrante Ridge which connects the San Pablo Creek Road and the Pinole Valley Road, continues along the connecting road to the Pinole Valley Road and then follows east along the Pinole Valley Road to the Alhambra Valley Road and easterly along the Alhambra Valley Road to a road running north to Muir, continues along said road to Muir then east along California State Highway No. 4 to the Sacramento Northern Railway, and continues north along the Sacramento Northern Railway to Suisun Bay.

Prohibited area No. 16.—Alameda County. The area in Oakland bounded on the east by the Southern Pacific Railroad tracks, on the north by the Bay Bridge approach, on the south by Seventh Street, and on the west by the Outer Harbor from the intersection of Terminal and Seventh Street NE. to the Key System ferry slips.

Prohibited area No. 18.—Alameda County, including parts of Oakland and Alameda, and commencing at the north end of the San Leandro Bay Bridge. The line runs northeast from that point along High Street to East Twelfth Street, then northwest along East Twelfth Street and Eighth Street to Harrison Street, then south along Harrison Street through Posey Tube and along Webster Street to San Francisco Bay at Neptune Beach, then along the shore to the point of beginning.

Prohibited area No. 26.—San Mateo County, including Half Moon Bay, commencing at the mouth of Purisima Creek, then up the creek to State Highway No. 1, continuing north on State Highway No. 1 to Princeton, then due west

from Princeton to the Pacific Ocean and following south along the shore line to the point of beginning.

Prohibited area No. 28.—Santa Cruz and Monterey Counties, including part of Santa Cruz and Monterey, and commencing at the mouth of Laguna Creek running up the creek to State Highway No. 1, then south on State Highway No. 1 to the Carmel River and along the Carmel River to the Pacific Ocean, then up the shore line to the point of beginning.

Prohibited area No. 31.—San Luis Obispo County and commencing at Cambria on the Pacific Ocean and running south along State Highway No. 1 to the Santa Maria River, then following the Santa Maria River west to the Pacific Ocean and along the shore line up to the point of beginning.

Prohibited area No. 32.—San Joaquin County, including part of Stockton. The area bounded on the north by Stockton Channel, on the east by Lincoln Street (from 100 block to 1300 block), on the south by Charter Way Road to Santa Fe Railroad, on the west by the San Joaquin River.

Prohibited area No. 34.—Los Angeles County. The area in Santa Monica bounded by Centinella Street, Pico Street, Lincoln Boulevard, and Venice Boulevard.

Prohibited area No. 36.—Los Angeles County. The area in Inglewood bounded by Industrial Street, Centinella Boulevard, Exton Street, and Hazel Street.

Prohibited area No. 48.—San Diego County, comprising the area beginning at the water front along Beach Street east to Kettner Boulevard, then north and northwest to Vine Street, then northwest on Hancock Street to Winder Street, then northwest on La Jolla Avenue to San Diego Avenue, then northwest on San Diego Avenue to Taylor Street turning west on Taylor Street to Rosecrans Street, then southwest on Rosecrans Street to Mission Bay Causeway (Midway Road), then southeast to United States Marine Corps Base.

[For immediate release, Wednesday, February 4, 1942.]

No. 9. DEPARTMENT OF JUSTICE

Attorney General Francis Biddle announced today that 7 areas in Washington and 24 areas in Oregon, a total of 31, have been declared prohibited to Japanese, German, and Italian aliens. The new regulation becomes effective on February 15, 1942, after which date no alien enemy may be found within the designated areas.

Grand Coulee and Bonneville Dams, important sources of hydroelectric power for the Northwest, are among the sites covered in today's order.

The Attorney General's order is based on recommendations made yesterday by the War Department. Already 86 areas in California have been declared prohibited to alien enemies, and in 12 others curfew restrictions have been imposed. Additional areas will be designated from time to time in accordance with the recommendations of the War Department.

The prohibited areas announced today for the State of Washington are as follows:

Prohibited area No. 2.—The area of approximately 8 square miles surrounding the Grand Coulee Dam on the Columbia River in Washington.

Prohibited area No. 3.—The area within a circle having a radius of 1,000 feet from the Long Lake hydroelectric plant on the Spokane River approximately 25 miles northeast of Spokane, Wash.

Prohibited area No. 4.—The areas within circles having radii of 1,000 feet from the powerhouse and from the lower dam located on the Skagit River in Whatcom County, Wash.

Prohibited area No. 5.—The area within a circle having a radius of 1 mile from the Diablo Dam located on the Skagit River in Whatcom County, Wash.

Prohibited area No. 6.—The area within a circle having a radius of 1 mile from the Ruby Dam located on the Skagit River in Whatcom County, Wash.

Prohibited area No. 7.—The area within a circle having a radius of 500 feet from the Baker River Dam near Concrete, Skagit County, Wash.

Prohibited area No. 8.—The area within a circle having a radius of 500 feet from the Electron hydroelectric plant at Electron, Pierce County, Wash.

Prohibited areas announced today for the State of Oregon are as follows:

Prohibited area No. 2.—The area surrounding the city water supply stand-by pumping station in Salem, Oreg., located at the corner of Trade and Commercial Streets.

Prohibited area No. 3.—The area surrounding the reservoir and elevated steel tank in Salem, Oreg., located at the junction of Rural and John Streets.

Prohibited area No. 4.—The area surrounding the reservoir in Salem, Oreg., at Candelaria Heights.

Prohibited area No. 5.—The area surrounding the Pacific Telephone & Telegraph Co. building at 740 State Street, Salem, Oreg.

Prohibited area No. 6.—The area in Salem, Oreg., bounded on the north by Court Street, on the east by Front Street, on the south by State Street, and on the west by Fir Street.

Prohibited area No. 7.—The area in Albany, Oreg., bounded on the north by Water Street, on the east by Broadalbin Street, on the south by First Street, and on the west by Ferry Street.

Prohibited area No. 8.—The area included within the limits of River View Park in Eugene, Oreg.

Prohibited area No. 9.—An area in Eugene, Oreg., bounded on the north by Twenty-second Street, on the east by Charllan Street, on the west by Washington Street, and on the south by a line 1,000 feet south of the Summit Street Reservoir.

Prohibited area No. 10.—The area within the limits of Hendricks Park, Eugene, Oreg.

Prohibited area No. 11.—The triangular area in Eugene, Oreg., bounded on the south by Broadway, on the west by the Mill Race, and on the northeast by the Willamette River.

Prohibited area No. 13.—The area in Eugene, Oreg., bounded on the north by the alley between Seventh and Eighth Streets, on the east by Mill Street, on the south by Thirteenth Street, and on the west by the alley between Olive and Charnelton Streets.

Prohibited area No. 14.—An area extending approximately 1,000 feet on all sides from the C. A. A. range station 4½ miles north of the aviation field at Eugene, Oreg.

Prohibited area No. 15.—The area in Roseburg, Oreg., bounded on the northwest by the alley between Parrot and Flint Streets, on the northeast by Washington Street, on the southeast by Kane Street, and on the southwest by Woodward Street.

Prohibited area No. 17.—The area in Marshfield, Oreg., bounded on the north by Central Street, on the east by Second Street, on the south by Anderson Street, and on the west by Third Street.

Prohibited area No. 18.—The area in Grants Pass, Oreg., bounded on the north by E Street, on the east by Sixth Street, on the south by F Street, and on the west by Fifth Street.

Prohibited area No. 19.—The area in Medford, Oreg., bounded on the north by Harrison Avenue, on the east by the east line of block 1, Capital Hill addition; on the south by Capital Avenue, and on the west by Valley View Drive.

Prohibited area No. 20.—The area in Medford, Oreg., bounded on the north by West Main Street, on the east by South Fir Street, on the south by Eleventh Street, and on the west by South Front Street.

Prohibited area No. 21.—The area in Medford, Oreg., bounded on the north by Third Street, on the east by Bear Creek, on the south by Main Street, and on the west by the Southern Pacific Railroad tracks.

Prohibited area No. 25.—The area in Yumatella, Oreg., bounded on the north by Third Street, on the east by F Street, on the south by Railroad Avenue, and on the west by E Street.

Prohibited area No. 26.—The area in Pendleton, Oreg., bounded on the northeast by Byers Avenue, on the southeast by South Main Street, on the southwest by Southwest Court Avenue, and on the northwest by First Street.

Prohibited area No. 27.—The area in La Grande, Oreg., bounded on the north by Jefferson Avenue, on the east by Depot Street, on the south by Adams Street, and on the west by Chestnut Street.

Prohibited area No. 29.—The area within circles having radii of 1,000 feet of the armory located at Oak and Kane Streets in Roseburg, Oreg., and from the installation located across the Umpqua River on Northwest Oak Street in Roseburg, Oreg.

Prohibited area No. 28.—The area located within a circle having a radius of 1 mile from the armory located on the Oregon State College campus at Corvallis, Oreg.

Prohibited area No. 30.—An area in the States of Washington and Oregon along the Columbia River above and below the Bonneville Dam and extending on each side of the river about one-half mile inland from the bank of the river

and extending downstream to a line drawn between Bridal Veil, Oreg., and Prindle, Wash., and extending upstream to a line drawn between Farley, Oreg., to Carson, Wash.

[For immediate release Wednesday, February 4, 1942.]

No. 10. DEPARTMENT OF JUSTICE

Attorney General Francis Biddle announced today that the entire coast line of California from the Oregon border south to a point approximately 50 miles north of Los Angeles, and extending inland for distances varying from 30 to 150 miles, has been declared a "restricted area" for all alien enemies.

In addition, 11 other areas immediately surrounding certain hydroelectric generating plants throughout the State have also been placed in this category. Other restricted areas will be announced later as they are recommended by the War Department. The Attorney General has as yet received no recommendation from the War Department with respect to restricted areas for southern California.

The new regulation becomes effective on February 24, 1942. It provides as follows for all Japanese, German, aud Italian aliens living in the restricted areas:

1. Between the hours of 9 p. m. and 6 a. m. all alien enemies shall be within the place of residence indicated on their certificates of identification.

2. At all other times during the day they must be found only at the place of residence or employment indicated in their certificates of identification, or going between those two places, or within a distance or not more than 5 miles from the place of residence.

3. Any alien enemy who is found during the hours of curfew at any place other than his place of residence or who is found during any other hour except at a place expressly specified as above, is subject to immediate apprehension and internment.

4. The United States attorneys will be authorized to grant exceptions to these restrictions only in cases where a compelling reason exists and after completion of a suitable investigation. While such an application is pending an alien enemy must comply with all of the restrictions. When exception is made to the restrictions, United States attorneys will endorse the exception in the certificate of identification so that the right of any alien enemy to be found in a restricted area may be immediately checked by examining his certificate, which he must have with him at all times.

The coastline region has been designated as restricted area No. 1. Its eastern boundary forms a line beginning at a point in Siskiyou County where United States Highway No. 99 crosses into Oregon, follows west and south generally along the lines of the Klamath and Trinity Rivers and on to approximately the town of Redwood Valley, in Mendocino County. At this point the boundary swings eastward just north of Clear Lake to Marysville, and then turns south to pass Sacramento and Stockton on the east and on to a point just south of Maricopa. The southern boundary of the area follows the line demarcating the northern and southern California military sectors, which runs eastward from a point on the coast near the boundary between San Luis Obispo and Santa Barbara Counties.

It is pointed out that regulations concerning "restricted" areas differ from those for "prohibited" areas, 86 of which have previously been designated by the Attorney General. Alien enemies are completely barred from prohibited areas. They may remain in the restricted areas but must observe the curfew and such other special regulations as may be announced. The fact that a prohibited area falls within the boundaries of a restricted area does not alter the rule that alien enemies are barred from prohibited areas.

However, particular alien enemies may be excluded entirely from these restricted areas whenever the Department of Justice deems such action necessary. Local police or other persons having information concerning particular alien enemies, indicating their presence within a restricted area might endanger the national security, should turn this information over to the Federal Bureau of Investigation. Prompt investigation will be made of every such complaint and the necessary action taken by the Attorney General.

The official descriptions of the restricted areas as furnished by the War Department are as follows:

Restricted area No. 1.—The area comprised within the boundaries of the Oregon-California State line on the north, the Pacific Ocean on the west, the boundary between the northern California sector and the southern California sector on the south and on the east by a line running north and south beginning at the point where the easterly boundary line of the right-of-way of United States Highway No. 99 crosses the Oregon-California State line in Siskiyou County northeast of Hilt and ending at a point on route No. 99 above Wheeler Ridge, Kern County. There is excluded from this area, prohibited areas Nos. 1 to 32, inclusive, which have been designated as prohibited areas. The north and south line representing the eastern boundary follows an irregular course and is described as follows: Commencing at the Oregon-California State line and following the easterly boundary line of the right-of-way of United States Highway No. 99 in a southerly direction to the point where the said easterly boundary line intersects the southerly boundary line of the right-of-way of the California State Highway No. 96, projected. The line then runs in a westerly and southerly direction along the easterly boundary line of California State Highway No. 96 to the point where that highway intersects the northerly boundary of the right-of-way of United States Highway No. 299; it then follows in a southeasterly direction along United States Highway No. 299 to the point where the northerly boundary line of the right-of-way of United States Highway No. 299 intersects the eastern boundary line of Humboldt County to the north boundary line of Mendocino County, Calif., then west along the north boundary of Mendocino County to the easterly boundary line of the right-of-way of United States Highway No. 101. The line follows then in a southerly direction along the easterly boundary of United States Highway No. 101 to the point where it intersects the northerly boundary line of California State Highway No. 20 and then in an easterly direction along the California State Highway No. 20 northerly boundary line to the point where it intersects the easterly boundary line of the right-of-way of United States Highway No. 99 east at or near Marysville, Calif. The line then follows in a southerly direction along the easterly boundary line of the right-of-way of United States Highway No. 99 east to the point where it intersects the easterly boundary line of the right-of-way of United States Highway No. 99 in or near the city of Sacramento, Calif., and then in a southerly direction along the easterly boundary line of the right-of-way of United States Highway No. 99 to the point where it intersects the southerly boundary line of California State Highway No. 120 in or near the town of Mantega, Calif. It follows then in a westerly direction along the southerly boundary line of the right-of-way of California State Highway No. 120 to the point where the same intersects the southerly boundary line of the right-of-way of United States Highway No. 50. It follows then in a westerly direction along the southerly boundary line of the right-of-way of United States Highway No. 50 to the point where the same intersects the easterly boundary line of the right-of-way of California State Highway No. 33, near Tracy, Calif. It follows then in a southerly direction along the easterly boundary line of the right-of-way of California State Highway No. 33, near Tracy, Calif. It follows then in a southerly direction along the easterly boundary line of the right-of-way of California State Highway No. 33 to the point where it, if projected, intersects the southerly boundary line of the right-of-way of California State Highway No. 152, in or near the town of Los Banos, Calif. It follows then in a westerly direction along the southerly boundary line of the right-of-way of California State Highway No. 152 to the point where the same intersects the easterly boundary line of the right-of-way of California State Highway No. 156. It follows then in a southerly direction along the easterly boundary line of the right-of-way of California State Highway No. 156 to the point where the same intersects the easterly boundary line of the right-of-way of California State Highway No. 25 in or near the town of Hollister, Calif. It follows then in a southerly direction along the easterly boundary line of the right-of-way of California State Highway No. 25 to the point where it intersects the northerly boundary line of the right-of-way of California State Highway No. 198 at or near the town of Priest Valley, Calif. It follows then in an easterly direction along the northerly boundary line of the right-of-way of California State Highway No. 198 to the point where it intersects the easterly boundary line of the right-of-way of California State Highway No. 33, projected in or near the town of Coalinga, Calif. It follows then in a southerly direction along the easterly boundary line of the right-of-way of California State Highway No. 33 to the point where it intersects the northerly boundary line of the right-of-way of California State Highway No. 166 in or near the town of Maricopa, Calif. It follows then in an easterly direction along the northerly boundary line of the right-of-way of California State Highway No. 166 to the point where it, projected, intersects the easterly boundary line of

the right-of-way of United States Highway No. 99. It follows then in a southerly direction along the easterly boundary line of the right-of-way of United States Highway No. 99 to the point where the same intersects the boundary between the northern California sector and the southern California sector of the Western Defense Command. The boundary between the northern California sector and the southern California sector of the Western Defense Command commences at a point on the coast line slightly below Point Sal and follows in an east, northeast direction through Schuman, just below Lake View, just above Gates, just below Pattiway and ends at a point on United States Highway No. 99 slightly below California State Highway 166. The southern boundary of restricted area No. 1 commences at a point below 35° latitude and extends west, northwest so as to cross the line of 35° latitude and ends at a point above 35° latitude.

Restricted area No. 2.—Shasta County. The area within a distance of 500 feet in any direction from the Hat Creek No. 1 hydroelectric generating plant of the Pacific Gas & Electric Co.; post-office address, Cassel, Calif.

Restricted area No. 3.—Shasta County. The area within a distance of 500 feet in any direction from the Hat Creek No. 2 hydroelectric generating plant of the Pacific Gas & Electric Co.; post-office address, Cassel, Calif.

Restricted area No. 4.—Shasta County. The area within a distance of 500 feet in any direction from the Coleman hydroelectric generating plant of the Pacific Gas & Electric Co.; post-office address, Cottonwood, Calif.

Restricted area No. 5.—Butte County. The area within a distance of 500 feet in any direction from the De Salba hydroelectric generating plant of the Pacific Gas & Electric Co.; post-office address, De Salba, Calif.

Restricted area No. 6.—Yuba County. The area within a distance of 500 feet in any direction from the Colgate hydroelectric generating plant of the Pacific Gas & Electric Co.; post-office address, Dobbins, Calif.

Restricted area No. 7.—Nevada and Placer Counties. The area within a distance of 300 feet in any direction from the Spaulding No. 1 hydroelectric generating plant of the Pacific Gas & Electric Co.; post-office address, Emigrant Gap, Calif.

Restricted area No. 8.—Nevada and Placer Counties. The area within a distance of 300 feet in any direction from the Spaulding No. 2 hydroelectric generating plant of the Pacific Gas & Electric Co.; post-office address, Emigrant Gap, Calif.

Restricted area No. 9.—Nevada and Placer Counties. The area within a distance of 300 feet in any direction from the Spaulding No. 3 hydroelectric generating plant of the Pacific Gas & Electric Co.; post-office address, Emigrant Gap, Calif.

Restricted area No. 10.—Placer County. The area within a distance of 500 feet in any direction from the Halsey hydroelectric generating plant of the Pacific Gas & Electric Co.; post-office address, Auburn, Calif.

Restricted area No. 11.—Placer County. The area within a distance of 500 feet in any direction from the Wise hydroelectric generating plant of the Pacific Gas & Electric Co.; post-office address, Auburn, Calif.

Restricted area No. 12.—Mono County. The area within a distance of 500 feet in any direction from the Big Creek hydroelectric generating plant of the California Electric Pacific Co., located 7 miles north of Bishop, Calif.

[For immediate release Saturday, February 7, 1942.]

No. 11. DEPARTMENT OF JUSTICE

Attorney General Francis Biddle announced today that upon the recommendation of the War Department he has designated 18 prohibited areas in the State of Arizona from which all aliens of German, Italian, and Japanese nationality will be excluded after February 24, 1942.

While there are relatively few alien enemies now living within the prescribed areas it was pointed out that the regulations were imposed as a precautionary measure. It was also explained that in the case of a number of prohibited areas lying within city limits, alien enemies will be permitted to use the streets passing through the areas.

The description of the areas as supplied by the War Department is as follows:

Prohibited area No. 1.—Cochise radio beam tower. From the intersection of Highway 81 and a paved road to Manzoro, 4 miles south of Cochise, south 225 yards along Highway 81, thence 225 yards west along fence, thence north 255

yards along fence to paved road, thence 225 yards east along paved road to intersection with Highway 81. All roads exclusive.

Prohibited area No. 2.—KSUN broadcasting station, Bisbee, Ariz. From the intersection on the Southern Pacific Railroad and an oiled road at the Lowell station, north along the Southern Pacific Railroad 150 yards, thence east to an unimproved road, thence south along the unimproved road to the intersection with an oiled road, thence west along the oiled road to the intersection with the Southern Pacific Railroad. All roads exclusive.

Prohibited area No. 3.—Central Arizona Light & Power Co. plant, Phoenix, Ariz. From the intersection of lateral 16 and the Southern Pacific Railroad, south along lateral 16 880 yards, thence west along Highway 80 880 yards thence north 880 yards to Southern Pacific Railroad, thence east along Southern Pacific Railroad 880 yards to the intersection with lateral 16. All roads exclusive.

Prohibited area No. 4.—KOY broadcasting station, Phoenix, Ariz. From the intersection of Camel Back Road and Eleventh Street, west along Camel Back Road 500 feet, thence north 500 feet, thence east 500 feet to Twelfth Street, thence south along Twelfth Street to the intersection with Camel Back Road. All roads exclusive.

Prohibited area No. 5.—KPHO Broadcasting Station, Phoenix, Ariz. From the intersection of Buckeye Road and Twenty-fourth Avenue, east along Buckeye Road 465 feet, thence south 465 feet, thence west 465 feet to Twenty-fourth Avenue, thence along Twenty-fourth Avenue 465 feet to the intersection with Buckeye Road. All roads exclusive.

Prohibited area No. 6.—Water users' substation (switching point). From a point on the south side of Buckeye Road, 300 feet east of Seventeenth Avenue, east 165 feet along Buckeye Road, thence south 600 feet, thence west 165 feet, thence north 600 feet to the intersection with Buckeye Road. All roads exclusive.

Prohibited area No. 7.—Phoenix substation (switching point). From a point at the intersection of First Avenue and the Southern Pacific Railroad, south along First Avenue to the intersection with West Lincoln Street, thence west along West Lincoln Street to the intersection with Third Avenue, thence north along Third Avenue to the intersection with West Buchanan Street, thence east along West Buchanan Street to the intersection with Second Avenue, thence north along Second Avenue to the intersection with the Southern Pacific Railroad, thence east along the Southern Pacific Railroad to the intersection with First Avenue. All roads exclusive.

Prohibited area No. 8.—KTAR Broadcasting Station, Phoenix, Ariz. From the intersection of East Thomas Road and Thirty-sixth Street, east on East Thomas Road 440 yards, thence south 440 yards, thence west 440 yards to Thirty-sixth Street, thence north along Thirty-sixth Street 440 yards to the intersection with East Thomas Road. All roads exclusive.

Prohibited area No. 9.—Water supply reservoir, Phoenix, Ariz. A rectangular space 200 yards by 250 yards located on the north side of East Thomas Road 600 yards west of intersection of East Thomas Road with Ingleside Avenue.

Prohibited area No. 10.—Phoenix radio beam tower. From a point on Hunter Drive, 1⅛ miles north of Eighth Street, Tempe, 225 yards north along fence, thence 225 yards east along fence, thence 225 yards south along fence, thence 225 yards west along fence to Hunter Drive. All roads exclusive.

Prohibited area No. 11.—Cross-cut power plant, Tempe, Arizona. From the intersection of the Overflow Canal and Highway 80, north 165 yards along Highway 80, thence west 165 yards to Southern Pacific Railroad, thence south along Southern Pacific Railroad 165 yards to Overflow Canal, thence east 165 yards along Overflow Canal to the intersection with Highway 80.

Prohibited area No. 12.—Mesa substation (switching point). From a point on the north side of Fourth Street, 1 mile east of Mesa Drive at the intersection of Fourth Street and a paved road, east along Fourth Street 400 feet, thence north 400 feet, thence west 400 feet to a paved road, thence south 400 feet along the paved road to the intersection with Fourth Street. All roads exclusive.

Prohibited area No. 13.—KVOA Broadcasting Station, Tucson, Ariz. From the intersection of Twelfth Avenue and Lee Street, west along Lee Street 600 feet, thence north 600 feet, thence east 600 feet to Twelfth Avenue, thence south along Twelfth Avenue to the intersection with Lee Street. All roads exclusive.

Prohibited area No. 14.—Tucson Gas, Electric Light & Power Co., Tucson, Ariz. From the intersection of Fifth and Court Streets, south along Court Street to the intersection with Sixth Street, thence west along Sixth Street to the intersection with Main Street, thence north along Main Street to the intersection with

Fifth Street, thence along Fifth Street to the intersection with Court Street. All roads exclusive.

Prohibited area No. 15.—KTUC Broadcasting Station, Tucson, Ariz. From the intersection of Sixth Avenue and Twelfth Street, west along Twelfth Street to intersection with Scott Street, thence north along Scott Street to the intersection with Broadway, thence east along Broadway to the intersection with Sixth Avenue, thence along Sixth Avenue to the intersection with Twelfth Street. All roads exclusive.

Prohibited area No. 16.—Imperial Dam, located at the southern end of Imperial Reservoir, on the Colorado River, 20 miles north of Yuma, Ariz.

Prohibited area No. 17.—Laguna Dam, located at the southern end of Laguna Reservoir, on the Colorado River, 15 miles north of Yuma, Ariz.

Prohibited area No. 18.—KYUM Broadcasting Station, Yuma, Ariz. From the intersection of First Street and Nineteenth Avenue, south along Nineteenth Avenue to the intersection with the West Main Canal, thence west along the West Main Canal to the intersection with Twentieth Avenue, thence north along Twentieth Avenue to the intersection with First Street, thence east along First Street to the intersection with Nineteenth Avenue. All roads exclusive.

No. 12. EXECUTIVE ORDER—No. 9066

AUTHORIZING THE SECRETARY OF WAR TO PRESCRIBE MILITARY AREAS

WHEREAS the successful prosecution of the war requires every possible protection against espionage and against sabotage to national defense material, national defense premises, and national defense utilities as defined in Section 4, Act of April 20, 1918, 40 Stat. 533, as amended by the Act of November 30, 1940, 54 Stat. 1220, and the Act of August 21, 1941, 55 Stat. 655 (U. S. C., Title 50, Sec. 104):

NOW, THEREFORE, by virtue of the authority vested in me as President of the United States, and Commander in Chief of the Army and Navy, I hereby authorize and direct the Secretary of War, and the Military Commanders who he may from time to time designate, whenever he or any designated Commander deems such action necessary or desirable, to prescribe military areas in such places and of such extent as he or the appropriate Military Commander may determine, from which any or all persons may be excluded, and with respect to which, the right of any person to enter, remain in, or leave shall be subject to whatever restrictions the Secretary of War or the appropriate Military Commander may impose in his discretion. The Secretary of War is hereby authorized to provide for residents of any such area who are excluded therefrom, such transportation, food, shelter, and other accommodations as may be necessary, in the judgment of the Secretary of War or the said Military Commander, and until other arrangements are made, to accomplish the purpose of this order. The designation of military areas in any region or locality shall supersede designations of prohibited and restricted areas by the Attorney General under the Proclamations of December 7 and 8, 1941, and shall supersede the responsibility and authority of the Attorney General under the said Proclamations in respect of such prohibited and restricted areas.

I hereby further authorize and direct the Secretary of War and the said Military Commanders to take such other steps as he or the appropriate Military Commander may deem advisable to enforce compliance with the restrictions applicable to each Military area hereinabove authorized to be designated, including the use of Federal troops and other Federal Agencies, with authority to accept assistance of state and local agencies.

I hereby further authorize and direct all Executive Departments, independent establishments and other Federal Agencies, to assist the Secretary of War or the said Military Commanders in carrying out this Executive Order, including the furnishing of medical aid, hospitalization, food, clothing, transportation, use of land, shelter, and other supplies, equipment, utilities, facilities, and services.

This order shall not be construed as modifying or limiting in any way the authority heretofore granted under Executive Order No. 8972, dated December 12, 1941, nor shall it be construed as limiting or modifying the duty and responsibility of the Federal Bureau of Investigation, with respect to the investigation of alleged acts of sabotage or the duty and responsibility of the Attorney General and the Department of Justice under the Proclamations of December 7 and 8,

1941, prescribing regulations for the conduct and control of alien enemies, except as such duty and responsibility is superseded by the designation of military areas hereunder.

THE WHITE HOUSE,
February 19, 1942.

No. 13. EXECUTIVE ORDER No. 9095

ESTABLISHING THE OFFICE OF ALIEN PROPERTY CUSTODIAN AND DEFINING ITS FUNCTIONS AND DUTIES

By virtue of the authority vested in me by the Constitution, by the Trading with the Enemy Act of October 6, 1917, as amended, by the First War Powers Act, 1941, and as President of the United States, it is hereby ordered as follows:

1. There is hereby established in the Office for Emergency Management of the Executive Office of the President the Office of Alien Property Custodian, at the head of which shall be an Alien Property Custodian appointed by the President. The Alien Property Custodian shall receive compensation at such rate as the President shall approve and in addition shall be entitled to actual and necessary transportation, subsistence, and other expenses incidental to the performance of his duties. Within the limitation of such funds as may be made available for that purpose, the Alien Property Custodian may appoint assistants and other personnel and delegate to them such functions as he may deem necessary to carry out the provisions of this Order.

2. All power and authority tonferred on the President by sections 3 (a) and 5 (b) of the Trading, with the Enemy Act of October 6, 1917, as amended, and by sections 301 and 302 of title III of the First War Powers Act, 1941, approved December 18, 1941, except such powers and authority as were delegated to the Secretary of the Treasury by Executive Orders issued prior to February 12, 1942, and to the Board of Governors of the Federal Reserve System by Executive Order No. 8843 of August 9, 1941 (which powers and authority shall continue to be vested in and exercised by the Secretary of the Treasury and the Board of Governors respectively), are hereby delegated to and vested in the Alien Property Custodian. The memorandum of February 12, 1942, delegating to the Secretary of the Treasury certain powers and authority under said sections, is hereby revoked and canceled. Any and all action heretofore taken by the Board of Governors of the Federal Reserve System after February 11, 1942, in pursuance of Executive Order No. 8843 of August 9, 1941, is hereby confirmed and ratified. In the exercise of the authority herein delegated, the Alien Property Custodian shall be subject to the provisions of Executive Order No. 8839 of July 30, 1941, and shall designate a representative to the Board of Economic Warfare in accordance with section 6 thereof.

3. Any property, or interest therein, of any foreign country or a national thereof shall vest in the Alien Property Custodian whenever the Alien Property Custodian shall so direct; and, in the case of any property, or interest therein, subject to the control of the Secretary of the Treasury, when the Alien Property Custodian shall notify the Secretary of the Treasury in writing that he has so directed, the Secretary of the Treasury shall release all control of any such property, or interest therein, to the Alien Property Custodian.

4. Any outstanding order, proclamation, regulation, ruling, license, or instruction issued pursuant to, or relating to the administration of, any power or authority vested in the Alien Property Custodian by this Order shall remain in effect unless and until amended or revoked by the Alien Property Custodian.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, *March 11, 1942.*

No. 14. EXECUTIVE ORDER No. 9106

ESTABLISHING THE WAR RELOCATION AUTHORITY IN THE EXECUTIVE OFFICE OF THE PRESIDENT AND DEFINING ITS FUNCTIONS AND DUTIES

By virtue of the authority vested in me by the Constitution and statutes of the United States, as President of the United States and Commander in Chief of the Army and Navy, and in order to provide for the removal from designated areas

of persons whose removal is necessary in the interests of national security, it is ordered as follows:

1. There is established in the Office for Emergency Management of the Executive Office of the President the War Relocation Authority, at the head of which shall be a Director appointed by and responsible to the President.

2. The Director of the War Relocation Authority is authorized and directed to formulate and effectuate a program for the removal, from the areas designated from time to time by the Secretary of War or appropriate military commander under the authority of Executive Order No. 9066 of February 19, 1942, of the persons or classes of persons designated under such Executive Order, and for their relocation, maintenance, and supervision.

3. In effectuating such program the Director shall have authority to—

(*a*) Accomplish all necessary evacuation not undertaken by the Secretary of War or appropriate military commander, provide for the relocation of such persons in appropriate places, provide for their needs in such manner as may be appropriate, and supervise their activities.

(*b*) Provide, insofar as feasible and desirable, for the employment of such persons at useful work in industry, commerce, agriculture, or public projects, prescribe the terms and conditions of such public employment, and safeguard the public interest in the private employment of such persons.

(*c*) Secure the cooperation, assistance, or services of any governmental agency.

(*d*) Prescribe regulations necessary or desirable to promote effective execution of such program, and, as a means of coordinating evacuation and relocation activities, consult with the Secretary of War with respect to regulations issued and measures taken by him.

(*e*) Make such delegations of authority as he may deem necessary.

(*f*) Employ necessary personnel, and make such expenditures, including the making of loans and grants and the purchase of real property, as may be necessary, within the limits of such funds as may be made available to the Authority.

4. The Director shall consult with the United States Employment Service and other agencies on employment and other problems incident to activities under this order.

5. The Director shall cooperate with the Alien Property Custodian appointed pursuant to Executive Order No. 9095 of March 11, 1942, in formulating policies to govern the custody, management, and disposal by the Alien Property Custodian of property belonging to foreign nationals removed under this order or under Executive Order No. 9066 of February 19, 1942; and may assist all other persons removed under either of such Executive orders in the management and disposal of their property.

6. Departments and agencies of the United States are directed to cooperate with and assist the Director in his activities hereunder. The Departments of War and Justice under the direction of the Secretary of War and the Attorney General, respectively, shall insofar as consistent with the national interest provide such protective, police, and investigational services as the Director shall find necessary in connection with activities under this order.

7. There is established within the War Relocation Authority the War Relocation Work Corps. The Director shall provide, by general regulations, for the enlistment in such corps, for the duration of the present war, of persons removed under this order or under Executive Order No. 9066 of February 19, 1942, and shall prescribe the terms and conditions of the work to be performed by such Corps, and the compensation to be paid.

8. There is established within the War Relocation Authority a Liaison Committee on War Relocation, which shall consist of the Secretary of War, the Secretary of the Treasury, the Attorney General, the Secretary of Agriculture, the Secretary of Labor, the Federal Security Administrator, the Director of Civilian Defense, and the Alien Property Custodian, or their deputies, and such other persons or agencies as the Director may designate. The Liaison Committee shall meet at the call of the Director and shall assist him in his duties.

9. The Director shall keep the President informed with regard to the progress made in carrying out this order, and perform such related duties as the President may from time to time assign to him.

10. In order to avoid duplication of evacuation activities under this order and Executive Order No. 9066 of February 19, 1942, the Director shall not undertake any evacuation activities within military areas designated under said Executive Order No. 9066, without the prior approval of the Secretary of War or the appropriate military commander.

11. This order does not limit the authority granted in Executive Order No. 8972 of December 12, 1941; Executive Order No. 9066 of February 19, 1942; Executive Order No. 9095 of March 11, 1942; Executive Proclamation No. 2525 of December 7, 1941; Executive Proclamation No. 2526 of December 8, 1941; Executive Proclamation No. 2527 of December 8, 1941; Executive Proclamation No. 2533 of December 29, 1941; or Executive Proclamation No. 2537 of January 14, 1942; nor does it limit the functions of the Federal Bureau of Investigation.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, *March 18, 1942.*

No. 15. PUBLIC PROCLAMATION No. 1

HEADQUARTERS, WESTERN DEFENSE COMMAND AND FOURTH ARMY,
Presidio of San Francisco, California, March 2, 1942.

To the people within the States of Arizona, California, Oregon, and Washington, and the Public Generally.

WHEREAS, By virtue of orders issued by the War Department on December 11, 1941, that portion of the United States lying within the States of Washington, Oregon, California, Montana, Idaho, Nevada, Utah, and Arizona and the Territory of Alaska has been established as the Western Defense Command and designated as a Theatre of Operations under my command; and

WHEREAS, By Executive Order No. 9066, dated February 19, 1942, the President of the United States authorized and directed the Secretary of War and the Military Commanders whom he may from time to time designate, whenever he or any such designated commander deems such action necessary or desirable, to prescribe military areas in such places and of such extent as he or the appropriate Military Commander may determine, from which any or all persons may be excluded, and with respect to which the right of any person to enter, remain in, or leave shall be subject to whatever restrictions the Secretary of War or the appropriate Military Commander may impose in his discretion; and

WHEREAS, The Secretary of War on February 20, 1942, designated the undersigned as the Military Commander to carry out the duties and responsibilities imposed by said Executive Order for that portion of the United States embraced in the Western Defense Command; and

WHEREAS, The Western Defense Command embraces the entire Pacific Coast of the United States, which by its geographical location is particularly subject to attack, to attempted invasion by the armed forces of nations with which the United States is now at war, and, in connection therewith, is subject to espionage and acts of sabotage, thereby requiring the adoption of military measures necessary to establish safeguards against such enemy operations:

NOW THEREFORE, I, J. L. DE WITT, Lieutenant General, U. S. Army, by virtue of the authority vested in me by the President of the United States and by the Secretary of War and my powers and prerogatives as Commanding General of the Western Defense Command, do hereby declare that—

1. The present situation requires as a matter of military necessity the establishment in the territory embraced by the Western Defense Command of Military Areas and Zones thereof as defined in Exhibit 1, hereto attached, and as generally shown on the map attached hereto and marked Exhibit 2.

2. Military Areas Nos. 1 and 2, as particularly described and generally shown hereinafter and in Exhibits 1 and 2 hereto, are hereby designated and established.

3. Within Military Areas Nos. 1 and 2 there are established Zone A–1, lying wholly within Military Area No. 1; Zones A–2 to A–99, inclusive, some of which are in Military Area No. 1, and the others in Military Area No. 2, and Zone B, comprising all that part of Military Area No. 1 not included within Zones A–1 to A–99, inclusive; all as more particularly described and defined and generally shown hereinafter and in Exhibits 1 and 2.

Military Area No. 2 comprises all that part of the States of Washington, Oregon, California, and Arizona which is not included within Military Area No. 1, and is shown on the map (Exhibit 2) as an unshaded area.

4. Such persons or classes of persons as the situation may require will by subsequent proclamation be excluded from all of Military Area No. 1 and also from such of those zones herein described as Zones A-2 to A-99, inclusive, as are within Military Area No. 2.

Certain persons or classes of persons who are by subsequent proclamation excluded from the zones last above mentioned may be permitted, under certain regu-

lations and restrictions to be hereafter prescribed, to enter upon or remain within Zone B.

The designation of Military Area No. 2 as such does not contemplate any prohibition or regulation or restriction except with respect to the zones established therein.

5. Any Japanese, German or Italian alien, or any person of Japanese Ancestry now resident in Military Area No. 1 who changes his place of habitual residence is hereby required to obtain and execute a "Change of Residence Notice" at any United States Post Office within the States of Washington, Oregon, California, and Arizona. Such notice must be executed at any such Post Office not more than five nor less than one day prior to any such change of residence. Nothing contained herein shall be construed to affect the existing regulations of the U. S. Attorney General which require aliens of enemy nationalities to obtain travel permits from U. S. Attorneys and to notify the Federal Bureau of Investigation and the Commissioner of Immigration of any change in permanent address.

6. The designation of prohibited and restricted areas within the Western Defense Command by the Attorney General of the United States under the Proclamations of December 7 and 8, 1941, and the instructions, rules, and regulations prescribed by him with respect to such prohibited and restricted areas, are hereby adopted and continued in full force and effect.

The duty and responsibility of the Federal Bureau of Investigation with respect to the investigation of alleged acts of espionage and sabotage are not altered by this proclamation.

J. L. De Witt,
Lieutenant General, U. S. Army,
Commanding.

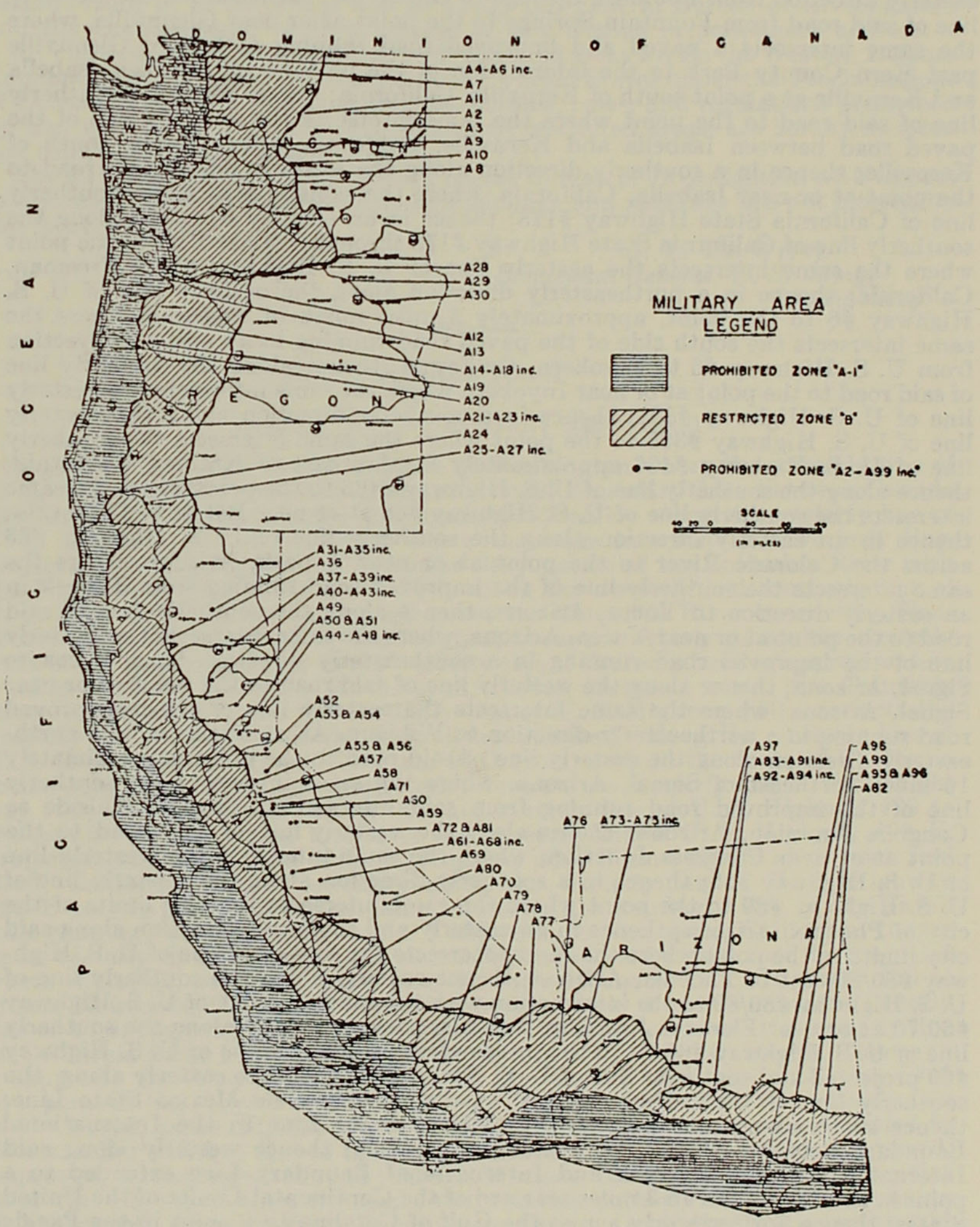
Exhibit No. 1

DESCRIPTION OF MILITARY AREA NO. 1

Beginning at the point in the State of Washington where the westerly line of U. S. Highway #97 intersects the International Boundary Line between Canada and the United States; thence in a southerly direction along the westerly line of U. S. Highway #97 to the point where the same intersects the westerly line, projected, of U. S. Highway #10–A near the junction of the Columbia River with the Wenatchee River; thence southerly along the westerly and southerly line of U. S. Highway #10–A to the bridge across the Columbia River connecting Wenatchee and East Wenatchee, Washington; thence southerly along the westerly bank of the Columbia River to the westerly side of the ferry landing approximately 2 miles south of Maryhill, Washington; thence southerly across the Columbia River to the point where the southerly line of U. S. Highway #30 intersects the westerly line of U. S. Highway #97; thence southerly along the westerly line of U. S. Highway #97 through the State of Oregon and into the State of California to the point where the same, projected, intersects the westerly line of U. S. Highway #99; thence southerly along the said westerly line of U. S. Highway #99 to the point where the same intersects the westerly line of U. S. Highway #99–E, projected, at the junction of U. S. Highway #99–W and #99–E at or near Red Bluff, California; thence southerly along the westerly line of U. S. Highway #99–E to the point where the same intersects the southerly line of the paved road running easterly from Lincoln, California, to Newcastle, California; thence in an easterly direction along the southerly line of said paved road to the point where the same, projected, intersects the easterly line of U. S. Highway #40 at or near Newcastle, California; thence in a northeasterly direction along the easterly line of U. S. Highway #40 to the point where the same intersects the westerly line of California State Highway #49 in the vicinity of Auburn, California; thence in a southerly direction along the westerly line of California State Highway #49 to a point in the vicinity of Mariposa where the same intersects the westerly line of the paved, improved, and unimproved road running in a southerly direction to Morman Bar and Ben Hur to the point at or near Raymond where the said paved, improved, and unimproved road through Morman Bar and Ben Hur to the point at or near Raymond where the same intersects the southerly line of a road running in an easterly direction from Raymond to Coarse Gold; thence along the said southerly line of the said road to a point where the same intersects the west line of California State Highway #41 at or near Coarse Gold, California; thence in a southerly direction along the westerly line of California State Highway #41 to its

point of intersection with the city limits of the City of Fresno; thence easterly, southerly, and westerly along said city limits to the point where the same intersects the westerly line of U. S. Highway #99 south of Fresno; thence southerly along the westerly line of U. S. Highway #99 to the point where the same intersects the southerly line of California State Highway #198 west of Visalia, California; thence in an easterly direction along the southerly line of California State Highway #198 to the point where the same intersects the westerly line of California State Highway #65 approximately 2 miles north of Exeter, California; thence in a southerly direction along the westerly line of California State Highway #65 to the point at or near Ducor, California, where the same intersects the southerly line of a paved road running easterly from Ducor to Fountain Springs; thence easterly along the southerly line of said road to the point at or near Fountain Springs where the same intersects the westerly line of the paved road running in a southeasterly direction from Fountain Springs to Glennville; thence along the westerly line of said road from Fountain Springs to the point at or near Glennville, where the same intersects a paved and improved road running east from Glennville past Kern County Park to the intersection of the paved road between Isabella and Kernville at a point south of Kernville, California; thence along the southerly line of said road to the point where the same intersects the westerly line of the paved road between Isabella and Kernville, California, about 1 mile south of Kernville; thence in a southerly direction along the westerly line of said road to the point at or near Isabella, California, where the same intersects the southerly line of California State Highway #178; thence in an easterly direction along the southerly line of California State Highway #178 through Walker Pass to the point where the same intersects the easterly line of U. S. Highway #6 at Freeman, California; thence in a northeasterly direction along the easterly line of U. S. Highway #6 to the point, approximately 3 miles north of Freeman, where the same intersects the south side of the paved road running in an easterly direction from U. S. Highway #6 to Inyokern, California; thence along the southerly line of said road to the point at or near Inyokern where the same intersects the westerly line of U. S. Highway #395; thence in a southerly direction along the westerly line of U. S. Highway #395 to the point where the same intersects the southerly line of U. S. Highway #466 approximately 3 miles east of Kramer, California; thence along the southerly line of U. S. Highway #466 to the point where the same intersects the southerly line of U. S. Highway #66 at or near Barstow, California; thence in an easterly direction along the southerly line of U. S. Highway #66 across the Colorado River to the point at or near Topock, Arizona, where the same intersects the southerly line of the improved road running from Topock in an easterly direction to Yucca, Arizona; thence along the southerly line of said road to the point at or near Yucca, Arizona, where the same intersects the westerly line of the improved road running in a southeasterly direction from Yucca to Signal, Arizona; thence along the westerly line of said road to the point at or near Signal, Arizona, where the same intersects the easterly line of the unimproved road running in a northeasterly direction to Wikieup, Arizona; thence in a northeasterly direction along the easterly line of said road to the point, approximately 16 miles northeast of Signal, Arizona, where the same intersects the southerly line of the improved road running from said intersection through Hillside to Congress Junction, Arizona; thence along the westerly line of said road to the point at or near Congress Junction, where the same intersects the westerly line of U. S. Highway #89; thence in a southerly direction along the westerly line of U. S. Highway #89 to the point where the same intersects the city limits of the city of Phoenix, Arizona; thence in an easterly and southerly direction along said city limits to the point where the same intersects the southerly line of U. S. Highway #80/89 east of Phoenix, Arizona; thence easterly along the southerly line of U. S. Highway #80/89 to the intersection with the southerly line of U. S. Highway #60/70 at or near Florence Junction, Arizona; thence easterly along the southerly line of U. S. Highway #60/70 to the intersection of easterly line of U. S. Highway #60 projected and southerly line of U. S. Highway #70; thence easterly along the southerly line of U. S. Highway #70 to the Arizona-New Mexico State Line; thence south along the Arizona-New Mexico State Line to the International Boundary between the United States and Mexico; thence westerly along said International Boundary Line and International Boundary Line extended to a point in the Pacific Ocean 3 miles seaward of the Continental Limits of the United States; thence northwesterly across the Gulf of Catalina to a point in the Pacific Ocean 3 miles southwest of China Point, San Clemente Island; thence northwesterly along the southeast and southwest shore of San Clemente Island parallel to and at a distance of 3 miles westerly therefrom to a point in the Pacific Ocean 3

miles southwest of the southwesterly extremity of San Nicholas Island; thence northwesterly to a point in the Pacific Ocean 3 miles west of Pt. Bennett, San Miguel Island; thence northwesterly to a point in the Pacific Ocean 3 miles west of Pt. Arguello; thence generally northwest paralleling the shore at a distance 3 miles seaward therefrom to a point in the Pacific Ocean 3 miles west of Pigeon Point; thence northwesterly to a point in the Pacific Ocean 3 miles west of the most westerly extremity of the Farallon Islands; thence generally north along a line 3 miles seaward of the shore line from Pt. Reyes to a point in the Pacific Ocean northwest of Tatoosh Island, Washington, where the 3-mile limit intersects the International Boundary Line between Canada and the United States, extended; thence along said International Boundary Line extended and International Boundary Line through the Straits of Juan de Fuca, Haro Strait, Strait of Georgia and easterly to the point of beginning.



No. 16.

PUBLIC PROCLAMATION NO. 2

HEADQUARTERS, WESTERN DEFENSE COMMAND AND FOURTH ARMY,
Presidio of San Francisco, California, March 16, 1942.

To the People Within the States of Washington, Oregon, California, Montana, Idaho, Nevada, Utah, and Arizona, and the Public Generally:

WHEREAS, By virtue of orders issued by the War Department on December 11, 1941, that portion of the United States lying within the States of Washington, Oregon, California, Montana, Idaho, Nevada, Utah, and Arizona and the Territory of Alaska has been established as the Western Defense Command and designated as a Theatre of Operations under my command; and

WHEREAS, By Executive Order No. 9066, dated February 19, 1942, the President of the United States authorized and directed the Secretary of War and the Military Commanders whom he may from time to time designate, whenever he or any such designated commander deems such action necessary or desirable, to prescribe military areas in such places and of such extent as he or the appropriate Military Commander may determine, from which any or all persons may be excluded, and with respect to which the right of any persons to enter, remain in, or leave shall be subject to whatever restrictions the Secretary of War or the appropriate Military Commander may impose in his discretion; and

WHEREAS, The Secretary of War on February 20, 1942, designated the undersigned as the Military Commander to carry out the duties and responsibilities imposed by said Executive Order for that portion of the United States embraced in the Western Defense Command; and

WHEREAS, The Western Defense Command by its geographical location is particularly subject to attack, to attempted invasion by the armed forces of nations with which the United States is now at war, and, in connection therewith, is subject to espionage and acts of sabotage, thereby requiring the adoption of military measures necessary to establish safeguards against such enemy operations:

NOW, THEREFORE, I, J. L. DEWITT, Lieutenant General, U. S. Army, by virtue of the authority vested in me by the President of the United States and by the Secretary of War and my powers and prerogatives as Commanding General of the Western Defense Command, do hereby declare that—

1. The present situation requires as a matter of military necessity the establishment in the territory embraced by the Western Defense Command of Military Areas and Zones in addition to those established in Public Proclamation No. 1, this headquarters, dated March 2, 1942.

2. Pursuant to the determination and statement of military necessity in paragraph 1 hereof, there are hereby designated and established the following Military Areas:

Military Area No. 3, embracing the entire State of Idaho.
Military Area No. 4, embracing the entire State of Montana.
Military Area No. 5, embracing the entire State of Nevada.
Military Area No. 6, embracing the entire State of Utah.

3. Within Military Areas Nos. 1 and 2 as designated and established in Public Proclamation No. 1, above mentioned, and within Military Areas Nos. 3, 4, 5, and 6, as defined herein, there are hereby established, pursuant to paragraph 1 hereof, Zones A–100 to A–1033, inclusive, all as more particularly described and defined in Exhibit 1, hereto attached, and as generally shown on the maps attached hereto and marked Exhibits 2, 3, 4, 5, 6, 7, 8, and 9.

4. Such persons or classes of persons as the situation may require will by subsequent proclamation be excluded from Zones A–100 to A–1033, inclusive.

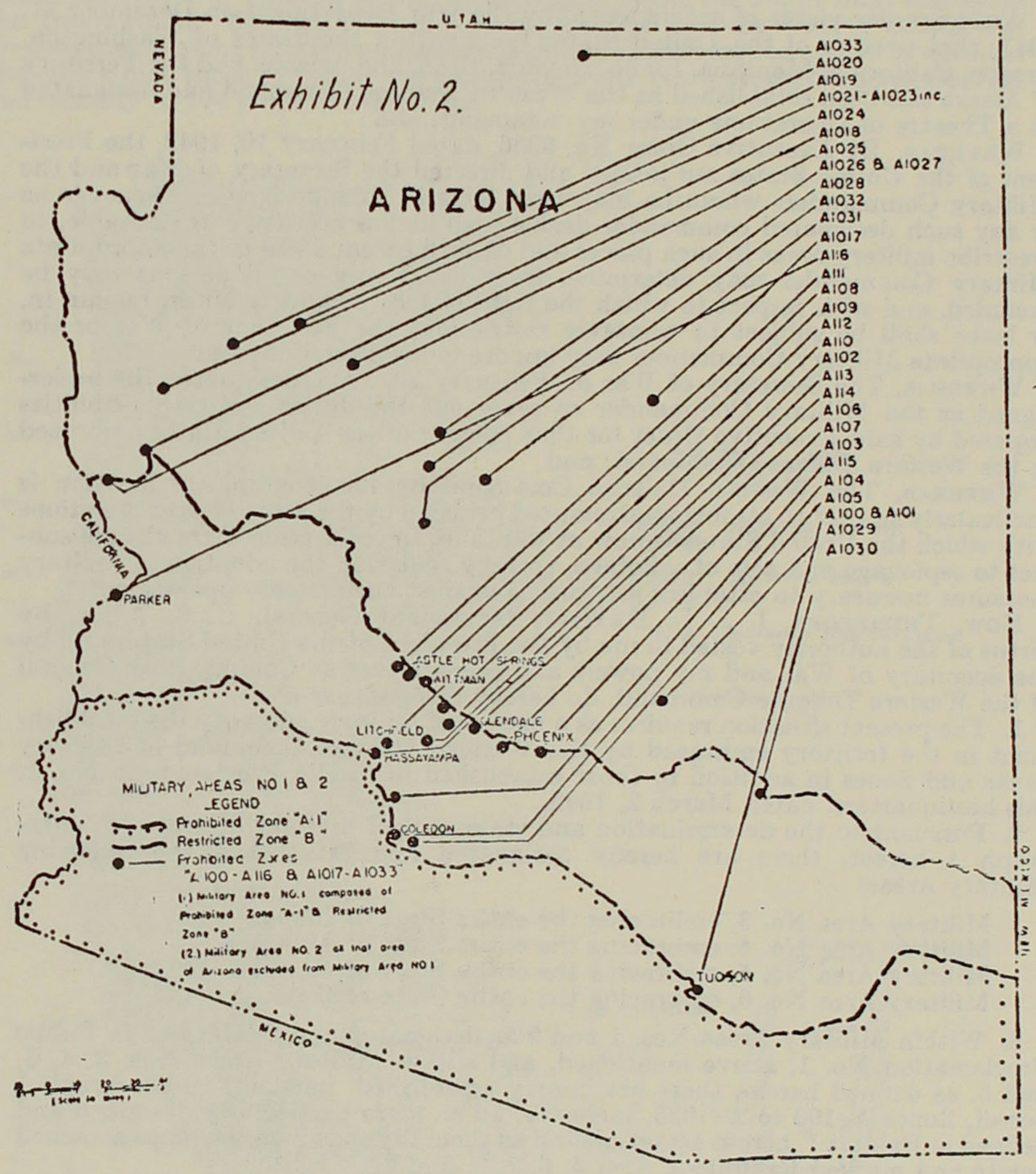
The designation of Military Areas Nos. 3, 4, 5, and 6 as such does not contemplate any prohibition, regulation, or restriction except with respect to the Zones established therein, and except as provided in paragraph 5 hereof.

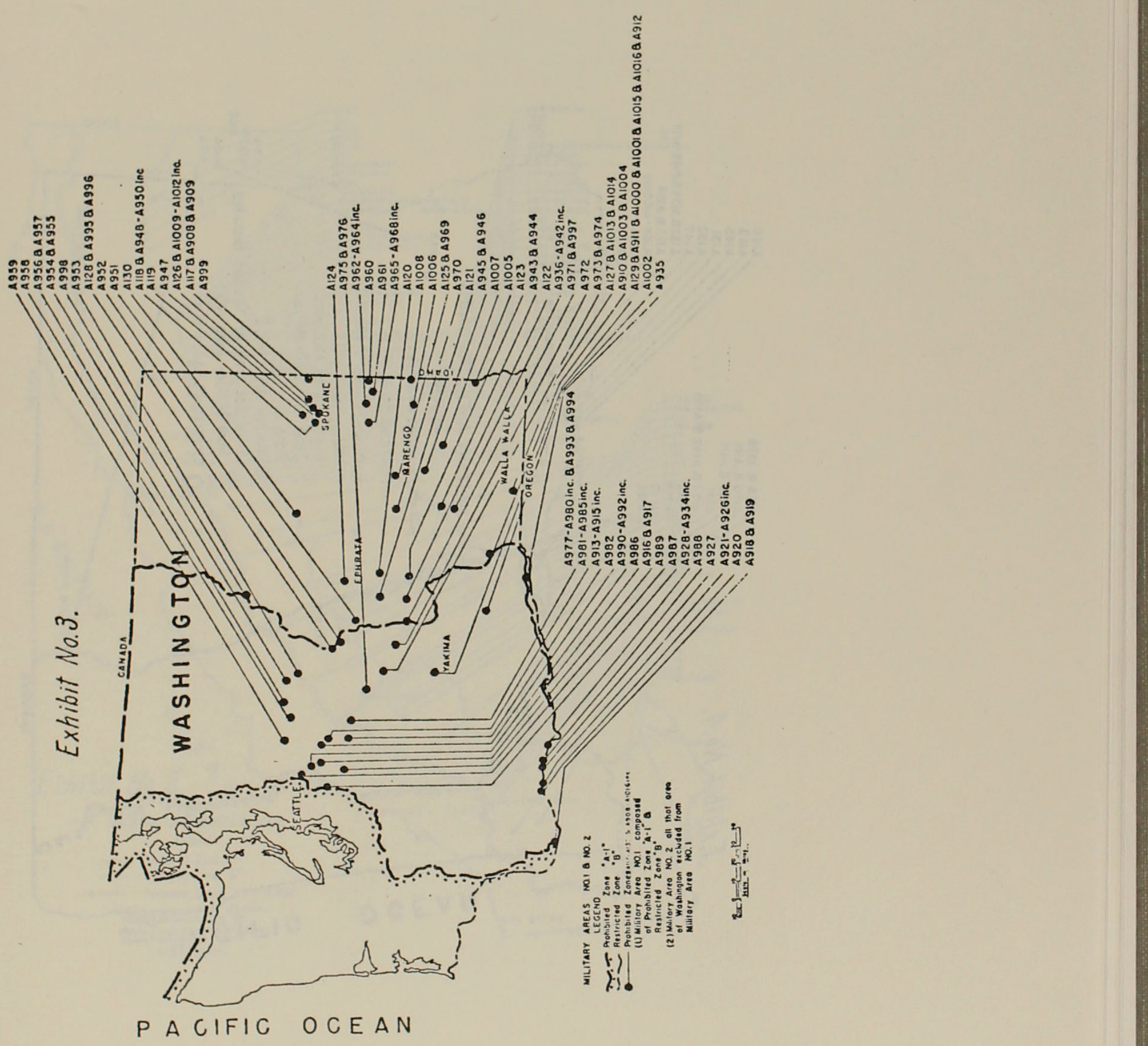
5. Any Japanese, German, or Italian alien, or any person of Japanese ancestry now resident in the states of the Western Defense Command, namely, Washington, Oregon, California, Montana, Idaho, Nevada, Utah, and Arizona, who changes his place of habitual residence is hereby required to obtain and execute a "Change of Residence Notice" at any United States Post Office within any of the states mentioned. Such notice must be executed at any such Post Office not more than five nor less than one day prior to any such change of residence. Nothing contained herein shall be construed to affect the existing regulations of the U. S. Attorney General which require aliens of enemy nationalities to obtain travel

permits from U. S. Attorneys and to notify the Federal Bureau of Investigation and the Commissioner of Immigration of any change in permanent address.

6. The duty and responsibility of the Federal Bureau of Investigation with respect to the investigation of alleged acts of espionage and sabotage are not altered by this proclamation.

J. L. DeWitt,
Lieutenant General, U. S. Army, Commanding.




Exhibit No. 3.
WASHINGTON
CANADA
SPOKANE
EPHRATA
MARENGO
YAKIMA
WALLA WALLA
OREGON
SEATTLE
PACIFIC OCEAN
A959
A958
A956 & A957
A954 & A955
A998
A953
A128 & A995 & A996
A952
A951
A130
A118 & A948 - A950 inc
A119
A947
A126 & A1009 - A1012 inc.
A117 & A908 & A909
A999
A124
A975 & A976
A962 - A964 inc.
A960
A961
A965 - A968 inc.
A120
A1008
A1006
A125 & A969
A970
A121
A945 & A946
A1007
A1005
A123
A943 & A944
A122
A936 - A942 inc.
A971 & A997
A972
A973 & A974
A127 & A1013 & A1014
A910 & A1003 & A1004
A1298 A911 & A1000 & A1001 & A1015 & A1016 & A912
A1002
A935
A977 - A980 inc. & A993 & A994
A981 - A985 inc.
A913 - A915 inc.
A982
A990 - A992 inc.
A986
A916 & A917
A989
A987
A928 - A934 inc.
A988
A927
A921 - A926 inc.
A920
A918 & A919
MILITARY AREAS NO.1 & NO.2
LEGEND
Prohibited Zone "A-1"
Restricted Zone "B"
Prohibited Zones in Military Area NO.1 composed of Prohibited Zone "A-1" & Restricted Zone "B"
(2) Military Area NO.2 all that area of Washington excluded from Military Area NO.1

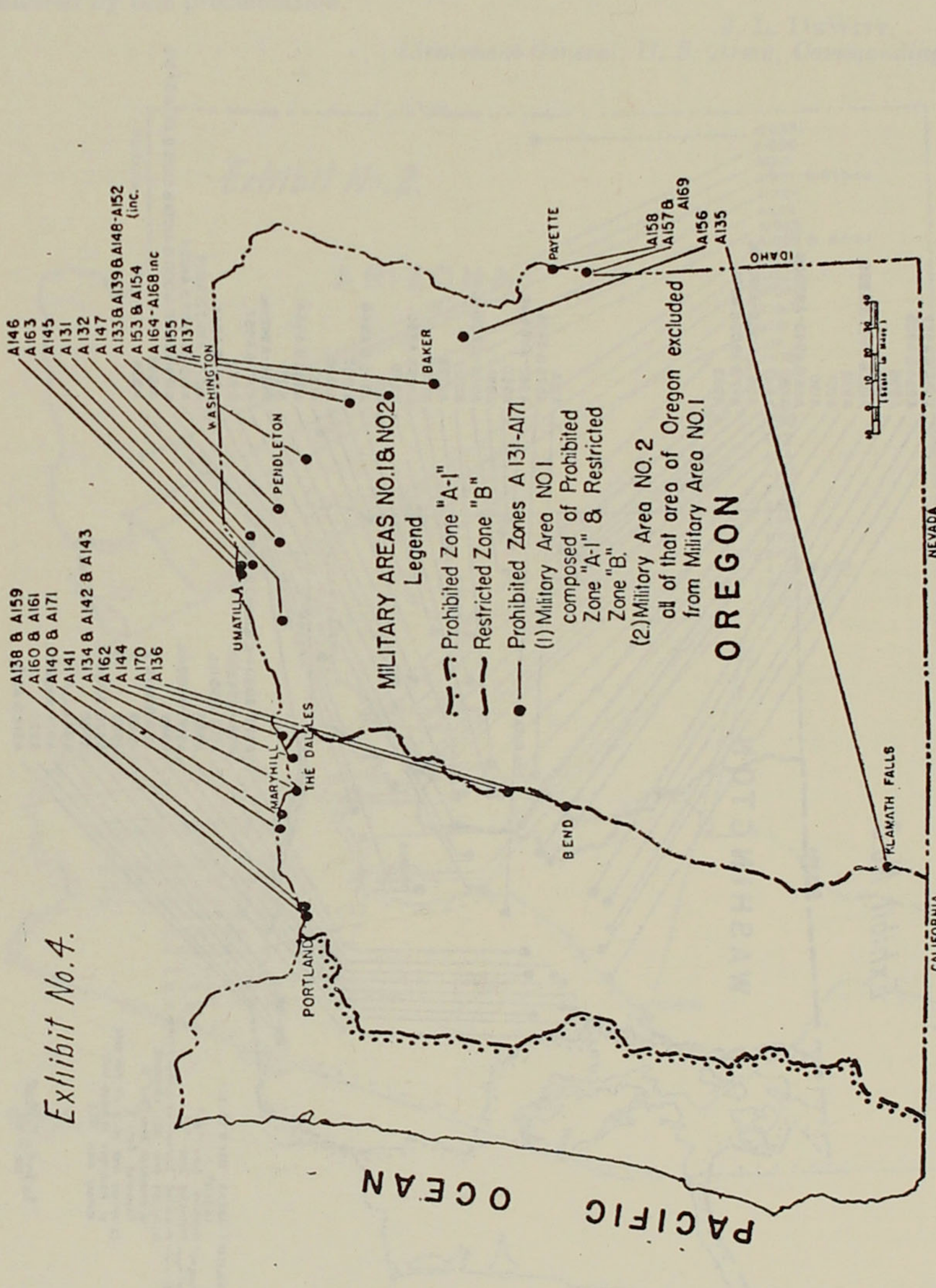

A146
A163
A145
A131
A132
A147
A133 & A139 & A148-A152 (inc.
A153 & A154
A164-A168 inc
A155
A137
A138 & A159
A160 & A161
A140 & A171
A141
A134 & A142 & A143
A162
A144
A170
A136
WASHINGTON
UMATILLA
PENDLETON
BAKER
PAYETTE
A158
A157&
A169
A156
A135
IDAHO
MILITARY AREAS NO.1 & NO.2
Legend
Prohibited Zone "A-1"
Restricted Zone "B"
Prohibited Zones A 131-A171
(1) Military Area NO 1
composed of Prohibited
Zone "A-1" & Restricted
Zone "B."
(2) Military Area NO. 2
all of that area of Oregon excluded
from Military Area NO. 1
OREGON
MARYHILL
THE DALLES
PORTLAND
BEND
KLAMATH FALLS
CALIFORNIA
NEVADA
PACIFIC OCEAN

Exhibit No. 4.

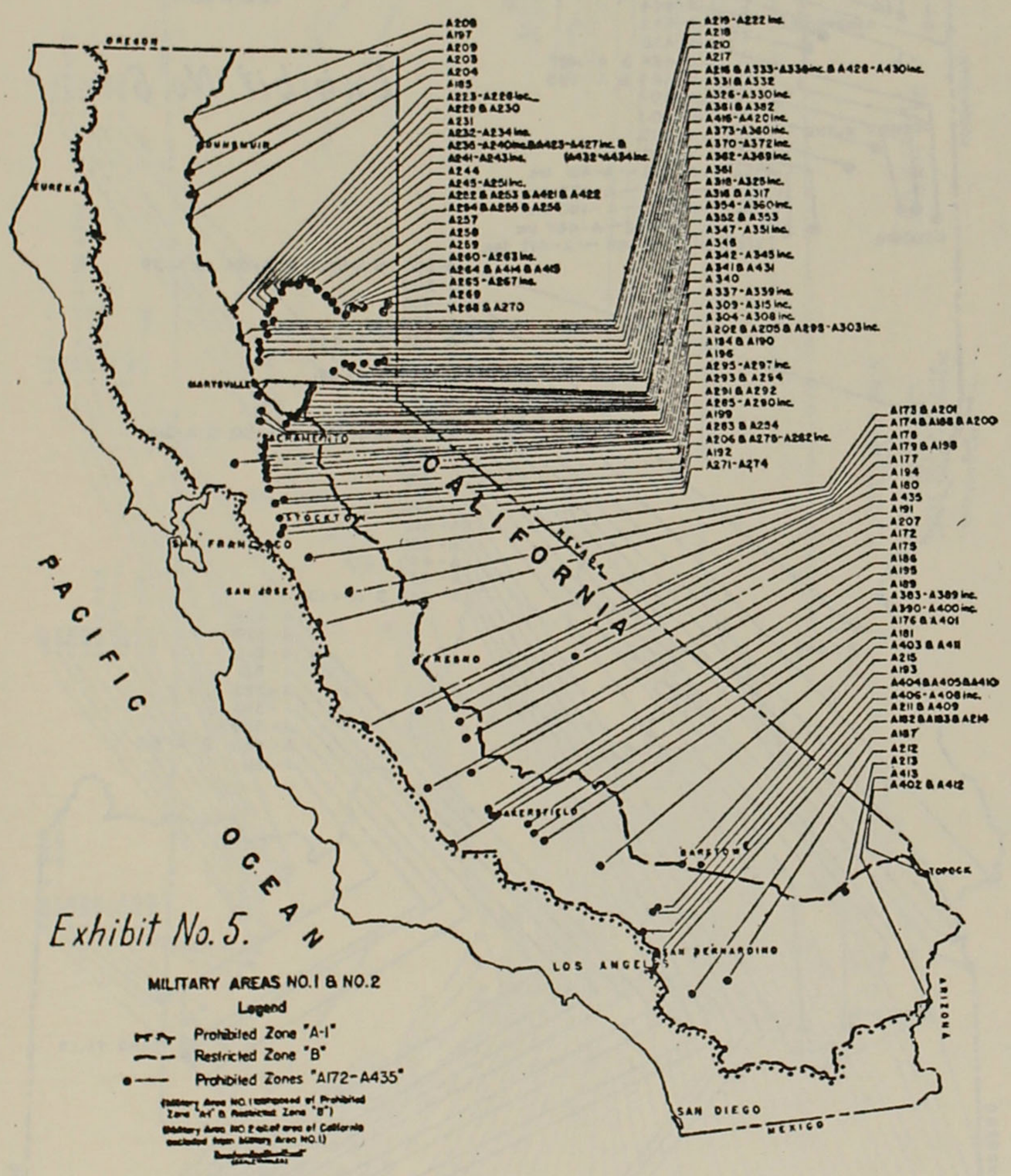


Exhibit No. 5.

MILITARY AREAS NO.1 & NO.2

Legend

- Prohibited Zone "A-1"
- Restricted Zone "B"
- Prohibited Zones "A172-A435"

(Military Area NO.1 composed of Prohibited Zone "A-1" & Restricted Zone "B")

(Military Area NO.2 all of area of California excluded from Military Area NO.1)

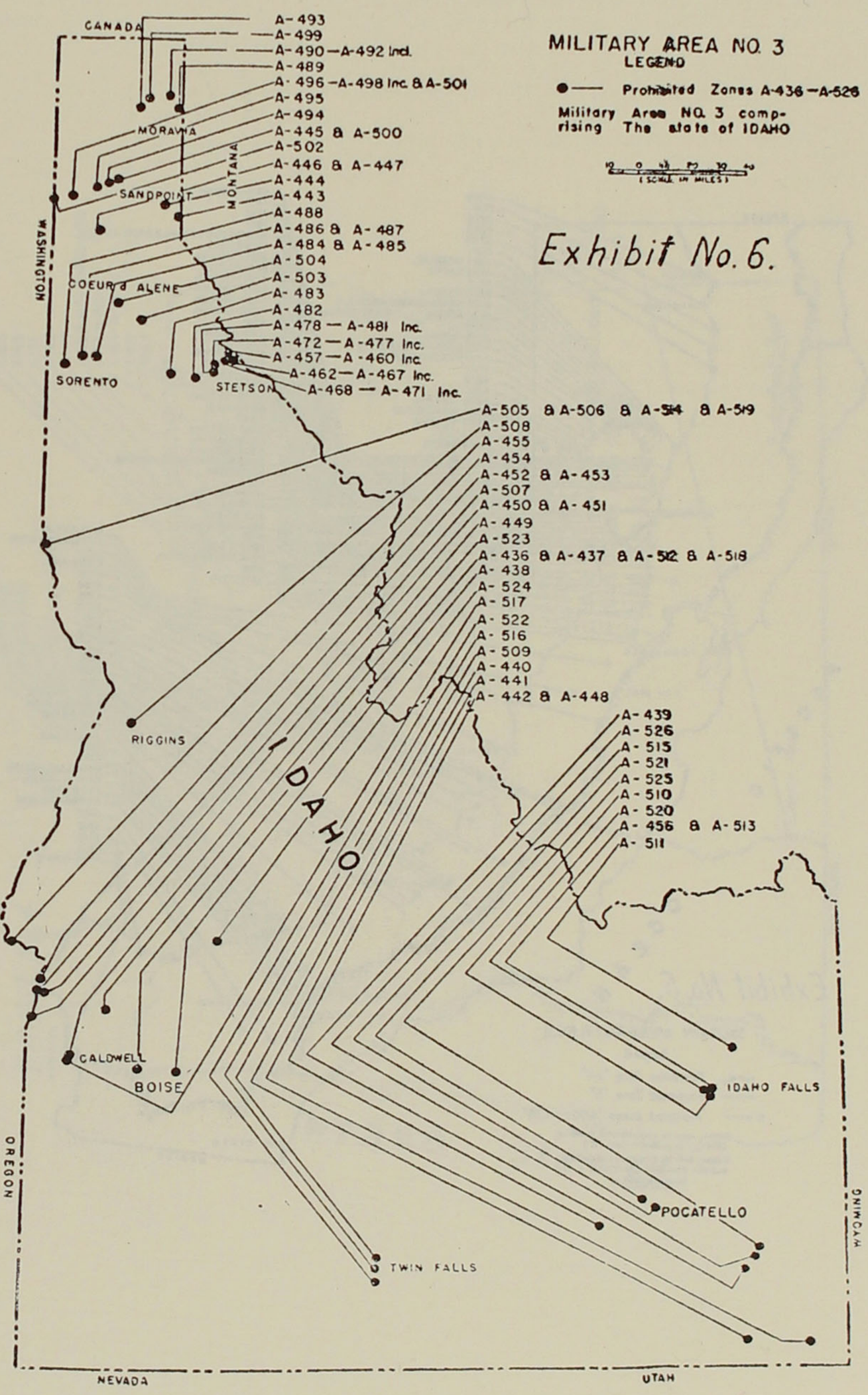
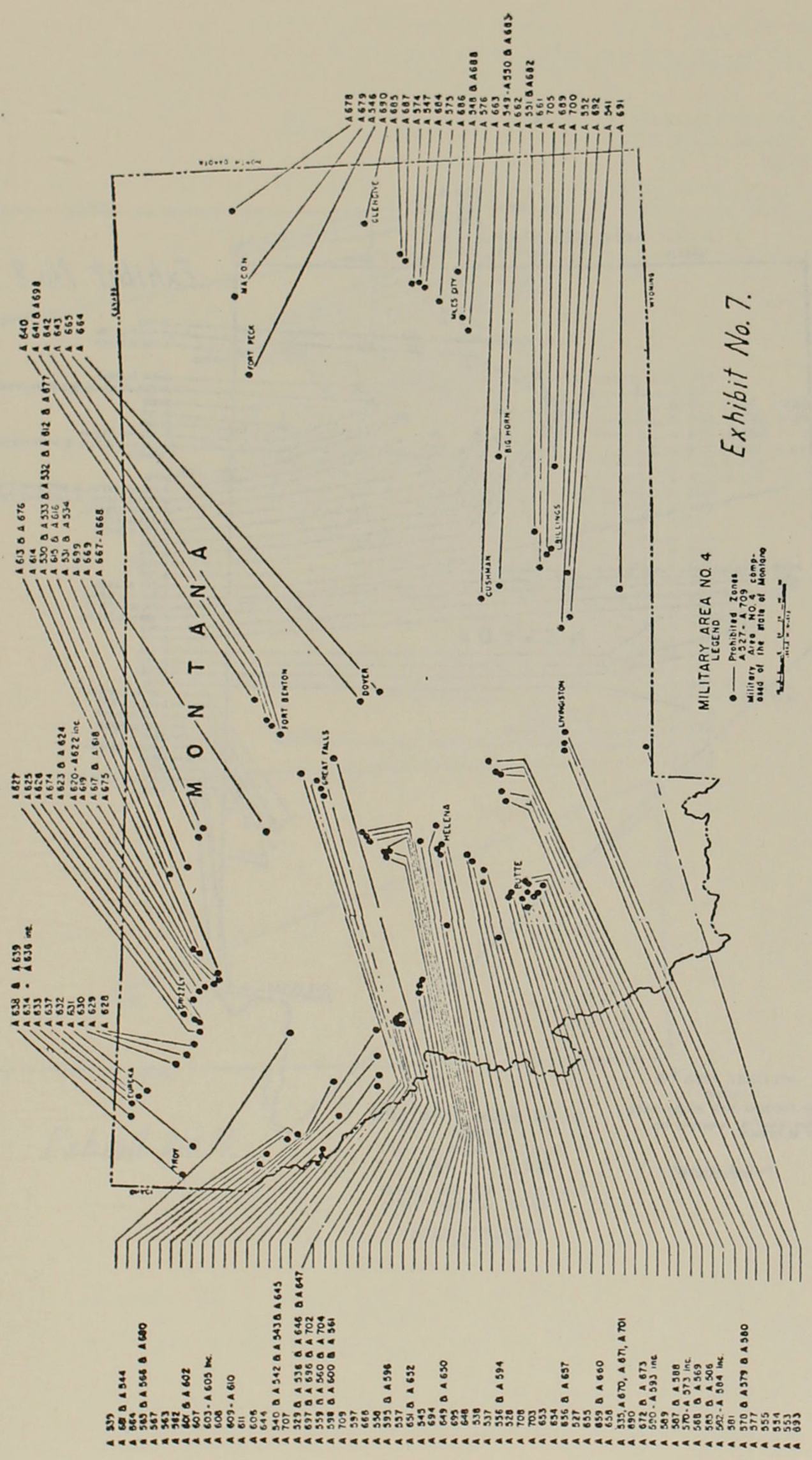
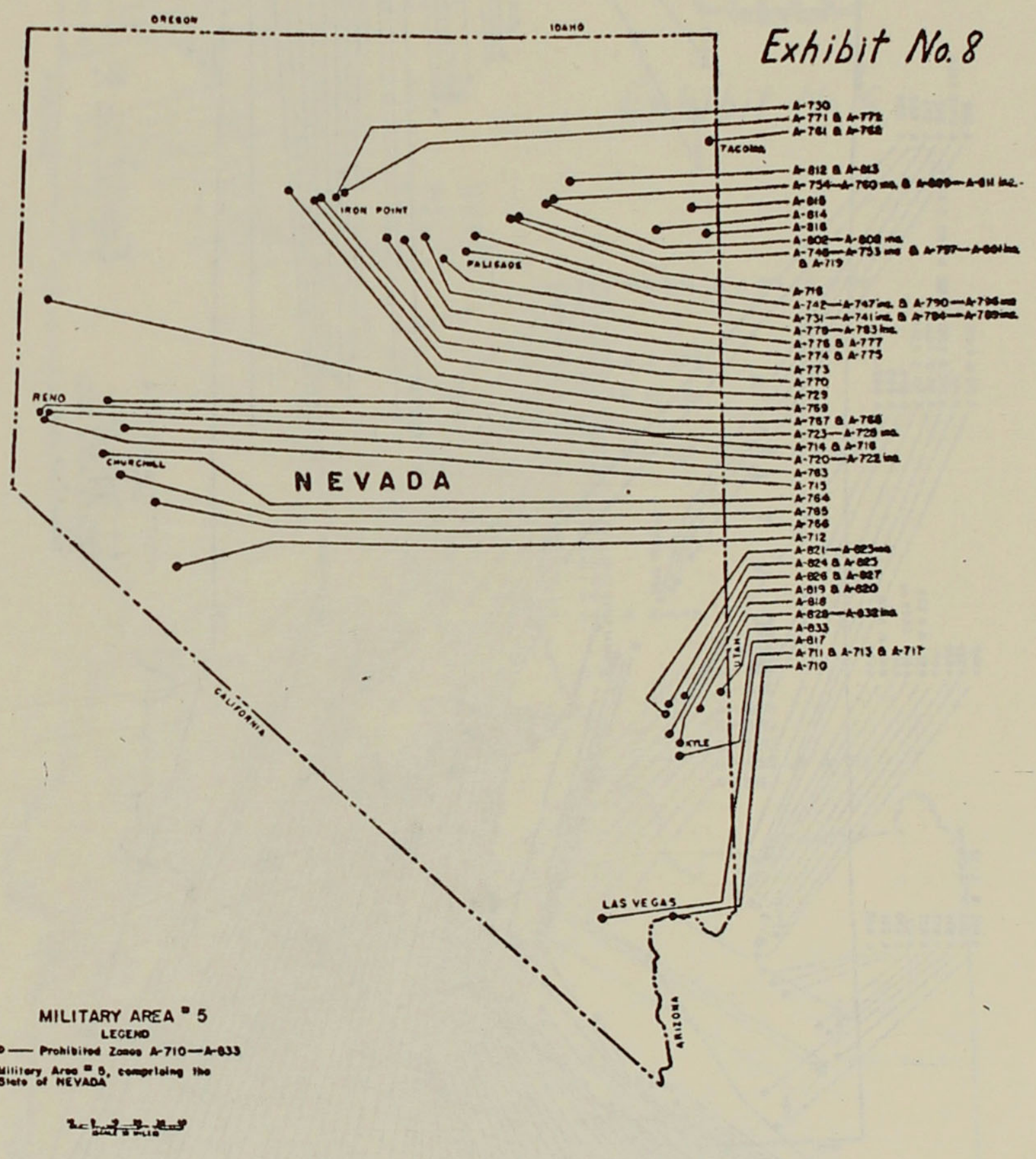

CANADA
A-493
A-499
A-490—A-492 Incl.
A-489
A-496—A-498 Inc. & A-501
A-495
A-494
A-445 & A-500
A-502
A-446 & A-447
A-444
A-443
A-488
A-486 & A-487
A-484 & A-485
A-504
A-503
A-483
A-482
A-478 — A-481 Inc.
A-472 — A-477 Inc.
A-457 — A-460 Inc.
A-462 — A-467 Inc.
A-468 — A-471 Inc.
A-505 & A-506 & A-514 & A-519
A-508
A-455
A-454
A-452 & A-453
A-507
A-450 & A-451
A-449
A-523
A-436 & A-437 & A-512 & A-518
A-438
A-524
A-517
A-522
A-516
A-509
A-440
A-441
A-442 & A-448
A-439
A-526
A-515
A-521
A-525
A-510
A-520
A-456 & A-513
A-511
MORAVIA
SANDPOINT
MONTANA
WASHINGTON
COEUR d ALENE
SORENTO
STETSON
RIGGINS
IDAHO
CALDWELL
BOISE
IDAHO FALLS
POCATELLO
TWIN FALLS
OREGON
WYOMING
NEVADA
UTAH
MILITARY AREA NO. 3
LEGEND
Prohibited Zones A-436—A-526
Military Area NO. 3 comprising The state of IDAHO
(SCALE IN MILES)

Exhibit No. 6.


MONTANA
MILITARY AREA NO. 4
LEGEND
Prohibited Zones A 527 - A 709
Military Area NO. 4 composed of the state of Montana
Exhibit No. 7.
A 678
A 679
A 546
A 650
A 685
A 687
A 574
A 547
A 664
A 575
A 686
A 548 & A 688
A 576
A 663
A 549 - A 550 & A 682
A 662
A 661
A 705
A 689
A 700
A 552
A 692
A 541
A 691
A 640
A 641 & A 698
A 642
A 643
A 665
A 664
A 613 & A 676
A 614
A 530 & A 533 & A 532 & A 612 & A 677
A 645 & A 616
A 531 & A 534
A 699
A 669
A 667 - A 668
A 627
A 625
A 626
A 674
A 623 & A 624
A 620 - A 622 inc
A 619
A 617 & A 618
A 675
A 638 & A 639
A 634 - A 636 inc
A 633
A 637
A 632
A 631
A 630
A 629
A 628
A 539
A 68 & A 544
A 564
A 565 & A 566 & A 680
A 567
A 563
A 562
A 607 & A 602
A 607
A 603 - A 605 inc
A 608
A 609 - A 610
A 611
A 606
A 644
A 540 & A 542 & A 543 & A 645
A 707
A 329 & A 538 & A 646 & A 647
A 697 & A 696 & A 702
A 559 & A 560 & A 704
A 598 & A 600 & A 561
A 709
A 597
A 666
A 558
A 595 & A 596
A 557
A 651 & A 652
A 545
A 694
A 649 & A 650
A 695
A 648
A 538
A 537
A 556 & A 594
A 528
A 708
A 703
A 653
A 654
A 656 & A 657
A 527
A 655
A 659 & A 660
A 658
A 535, A 670, A 671, A 701
A 690
A 672 & A 673
A 590 - A 593 inc
A 589
A 567 & A 588
A 570 - A 573 inc
A 568 & A 569
A 565 & A 506
A 502 - A 564 inc
A 581
A 570 & A 579 & A 580
A 577
A 555
A 554
A 553
A 693
SEATTLE
SPOKANE
BUTTE
HELENA
GREAT FALLS
FORT BENTON
DOVER
FORT PECK
GLENDIVE
MILES CITY
BIG HORN
CUSHMAN
BILLINGS
LIVINGSTON
MACON
TROY
EUREKA


Exhibit No. 8
OREGON
IDAHO
IRON POINT
PALISADE
TACOMA
RENO
CHURCHILL
NEVADA
CALIFORNIA
UTAH
KYLE
LAS VEGAS
ARIZONA
A-730
A-771 & A-772
A-761 & A-762
A-812 & A-813
A-754—A-760 inc. & A-809—A-811 inc.
A-815
A-814
A-816
A-802—A-808 inc.
A-746—A-753 inc. & A-797—A-801 inc.
& A-719
A-718
A-742—A-747 inc. & A-790—A-796 inc.
A-731—A-741 inc. & A-784—A-789 inc.
A-778—A-783 inc.
A-776 & A-777
A-774 & A-775
A-773
A-770
A-729
A-769
A-767 & A-768
A-723—A-728 inc.
A-714 & A-716
A-720—A-722 inc.
A-763
A-715
A-764
A-765
A-766
A-712
A-821—A-823 inc.
A-824 & A-825
A-826 & A-827
A-819 & A-820
A-818
A-828—A-832 inc.
A-833
A-817
A-711 & A-713 & A-717
A-710
MILITARY AREA # 5
LEGEND
—— Prohibited Zones A-710—A-833
Military Area # 5, comprising the State of NEVADA

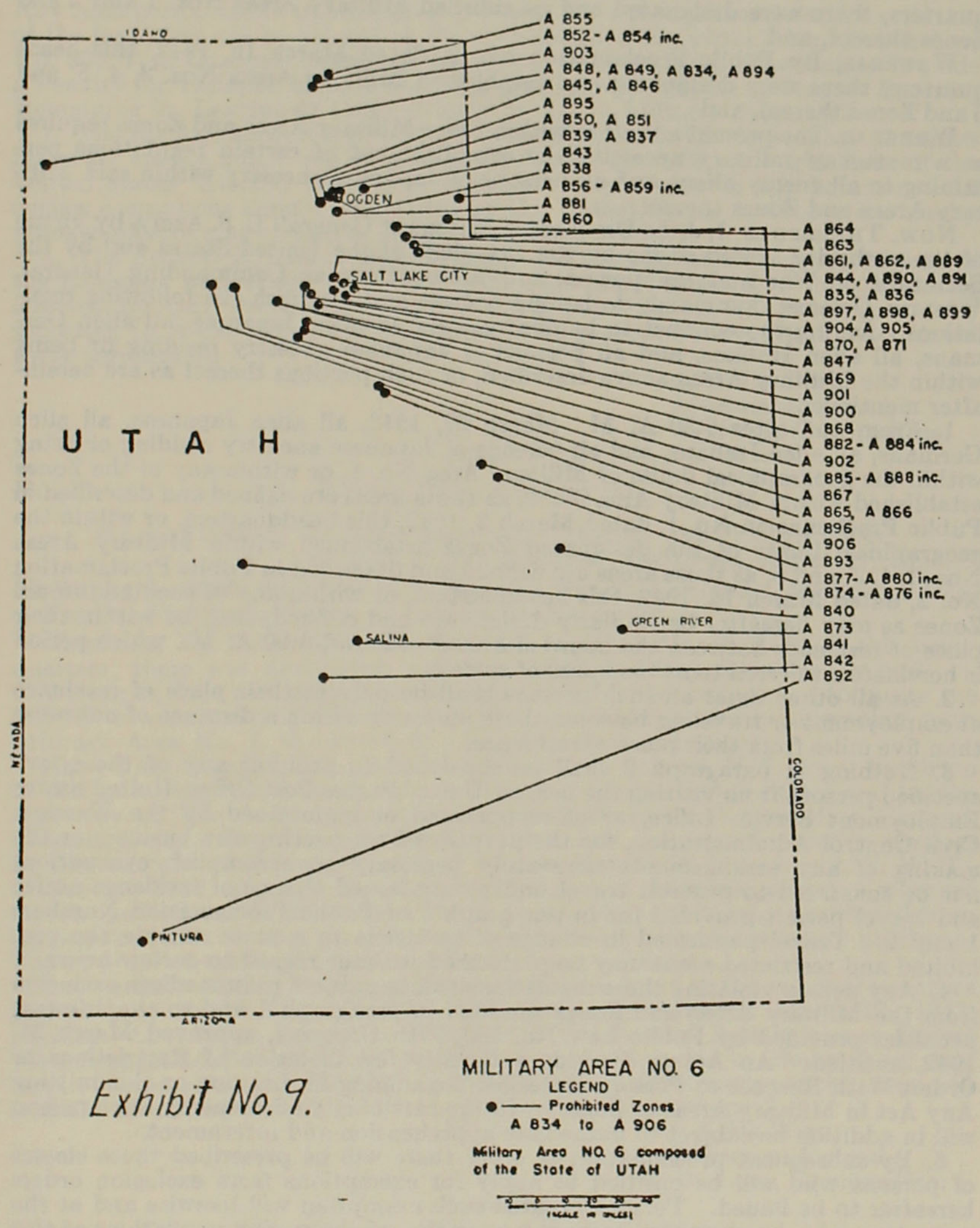


Exhibit No. 9.

MILITARY AREA NO. 6

LEGEND

● —— Prohibited Zones

A 834 to A 906

Military Area NO. 6 composed of the State of UTAH

No. 17. PUBLIC PROCLAMATION NO. 3

HEADQUARTERS, WESTERN DEFENSE COMMAND AND FOURTH ARMY,
Presidio of San Francisco, California, March 24, 1942.

To the people within the States of Washington, Oregon, California, Montana, Idaho, Nevada, Utah and Arizona, and the Public Generally:

WHEREAS, By Public Proclamation No. 1, dated March 2, 1942, this headquarters, there were designated and established Military Areas Nos. 1 and 2 and Zones thereof, and

WHEREAS, By Public Proclamation No. 2, dated March 16, 1942, this headquarters, there were designated and established Military Areas Nos. 3, 4, 5, and 6 and Zones thereof, and

WHEREAS, The present situation within these Military Areas and Zones requires as a matter of military necessity the establishment of certain regulations pertaining to all enemy aliens and all persons of Japanese ancestry within said Military Areas and Zones thereof:

NOW, THEREFORE I, J. L. DE WITT, Lieutenant General, U. S. Army, by virtue of the authority vested in me by the President of the United States and by the Secretary of War and my powers and prerogatives as Commanding General, Western Defense Command, do hereby declare and establish the following regulations covering the conduct to be observed by all alien Japanese, all alien Germans, all alien Italians, and all persons of Japanese ancestry residing or being within the Military Areas above described, or such portions thereof as are hereinafter mentioned:

1. From and after 6:00 A. M., March 27, 1942, all alien Japanese, all alien Germans, all alien Italians, and all persons of Japanese ancestry residing or being within the geographical limits of Military Area No. 1, or within any of the Zones established within Military Area No. 2, as those areas are defined and described in Public Proclamation No. 1, dated March 2, 1942, this headquarters, or within the geographical limits of the designated Zones established within Military Areas Nos. 3, 4, 5, and 6, as those areas are defined and described in Public Proclamation No. 2, dated March 16, 1942, this headquarters, or within any of such additional Zones as may hereafter be similarly designated and defined, shall be within their place of residence between the hours of 8:00 P. M. and 6:00 A. M., which period is hereinafter referred to as the hours of curfew.

2. At all other times all such persons shall be only at their place of residence or employment or traveling between those places or within a distance of not more than five miles from their place of residence.

3. Nothing in paragraph 2 shall be construed to prohibit any of the above specified persons from visiting the nearest United States Post Office, United States Employment Service Office, or office operated or maintained by the Wartime Civil Control Administration, for the purpose of transacting any business or the making of any arrangements reasonably necessary to accomplish evacuation; nor be construed to prohibit travel under duly issued change of residence notice and travel permit provided for in paragraph 5 of Public Proclamation Numbers 1 and 2. Travel performed in change of residence to a place outside the prohibited and restricted areas may be performed without regard to curfew hours.

4. Any person violating these regulations will be subject to immediate exclusion from the Military Areas and Zones specified in paragraph 1 and to the criminal penalties provided by Public Law No. 503, 77th Congress, approved March 21, 1942, entitled: "An Act to Provide a Penalty for Violation of Restrictions or Orders With Respect to Persons Entering, Remaining in, Leaving or Committing Any Act in Military Areas or Zone." In the case of any alien enemy, such person will in addition be subject to immediate apprehension and internment.

5. By subsequent proclamation or order there will be prescribed those classes of persons who will be entitled to apply for exemptions from exclusion orders hereafter to be issued. Persons granted such exemption will likewise and at the same time also be exempted from the operation of the curfew regulations of this proclamation.

6. After March 31, 1942, no person of Japanese ancestry shall have in his possession or use or operate at any time or place within any of the Military Areas 1 to 6 inclusive, as established and defined in Public Proclamations Nos. 1 and 2, above mentioned any of the following items:

(*a*) Firearms.
(*b*) Weapons or implements of war or component parts thereof.
(*c*) Ammunition.

(*d*) Bombs.
(*e*) Explosives or the component parts thereof.
(*f*) Short-wave radio receiving sets having a frequency of 1,750 kilocycles or greater or of 540 kilocycles or less.
(*g*) Radio transmitting sets.
(*h*) Signal devices.
(*i*) Codes or ciphers.
(*j*) Cameras.

Any such person found in possession of any of the above named items in violation of the foregoing will be subject to the criminal penalties provided by Public Law No. 503, 77th Congress, approved March 21, 1942, entitled: "An Act to Provide a Penalty for Violation of Restrictions or Orders with Respect to Persons Entering Remaining in, Leaving or Committing Any Act in Military Areas or Zone."

7. The regulations herein prescribed with reference to the observance of curfew hours by enemy aliens, are substituted for and supersede the regulations of the United States Attorney General heretofore in force in certain limited areas. All curfew exemptions heretofore granted by the United States Attorneys are hereby revoked effective as of 6:00 a. m., PWT, March 27, 1942.

8. The Federal Bureau of Investigation is designated as the agency to enforce the foregoing provisions. It is requested that the civil police within the states affected by this Proclamation assist the Federal Bureau of Investigation by reporting to it the names and addresses of all persons believed to have violated these regulations.

J. L. De Witt,
Lieutenant General,
U. S. Army, Commanding.

No. 18. Public Proclamation No. 4

Headquarters, Western Defense Command and Fourth Army,
Presidio of San Francisco, California, March 27, 1942.

To the people within the States of Washington, Oregon, California, Montana, Idaho, Nevada, Utah and Arizona, and the Public Generally:

Whereas, By Public Proclamation No. 1, dated March 2, 1942, this headquarters, there was designated and established Military Area No. 1, and

Whereas, It is necessary, in order to provide for the welfare and to insure the orderly evacuation and resettlement of Japanese voluntarily migrating from Military Area No. 1, to restrict and regulate such migration:

Now, Therefore, I, J. L. De Witt, Lieutenant General, U. S. Army, by virtue of the authority vested in me by the President of the United States and by the Secretary of War and my powers and prerogatives as Commanding General, Western Defense Command, do hereby declare that the present situation requires as a matter of military necessity that, commencing at 12:00 midnight, P. W. T., March 29, 1942, all alien Japanese and persons of Japanese ancestry who are within the limits of Military Area No. 1, be and they are hereby prohibited from leaving that area for any purpose until and to the extent that a future proclamation or order of this headquarters shall so permit or direct.

Any person violating this proclamation will be subject to the criminal penalties provided by Public Law No. 503, 77th Congress, approved March 21, 1942, entitled: "An Act to Provide a Penalty for Violation of Restrictions or Orders with Respect to Persons Entering, Remaining in, Leaving or Committing Any Act in Military Areas or Zones." In the case of any alien enemy, such person will in addition be subject to immediate apprehension and internment.

J. L. De Witt,
Lieutenant General,
U. S. Army, Commanding.

No. 19. Public Proclamation No. 5

Headquarters, Western Defense Command and Fourth Army,
Presidio of San Francisco, California, March 30, 1942.

To the people within the States of Washington, Oregon, California, Montana, Idaho, Nevada, Utah, and Arizona, and the Public Generally:

Whereas, by Public Proclamation No. 1, dated March 2, 1942, this headquarters, there were designated and established Military Areas Nos. 1 and 2 and Zones thereof, and

WHEREAS, by Public Proclamation No. 2, dated March 16, 1942, this headquarters, there were designated and established Military Areas Nos. 3, 4, 5, and 6 and Zones thereof, and

WHEREAS, the present situation within these Military Areas and Zones requires as a matter of military necessity the establishment of certain regulations, as set forth hereinafter:

NOW, THEREFORE, I, J. L. DEWITT, Lieutenant General, U. S. Army, by virtue of the authority vested in me by the President of the United States and by the Secretary of War and my powers and prerogatives as Commanding General, Western Defense Command, do hereby declare and establish the following regulations covering the conduct to be observed by all alien Japanese, all alien Germans, all alien Italians, and all persons of Japanese ancestry residing or being within the Military Areas above described:

Prior to and during the period of exclusion and evacuation of certain persons or classes of persons from prescribed Military Areas and Zones, persons otherwise subject thereto but who come within one or more of the classes specified in (*a*), (*b*), (*c*), (*d*), (*e*), and (*f*), following, may make written application for exemption from such exclusion and evacuation. Application Form WDC–PM 5 has been prepared for that purpose and copies thereof may be procured from any United States Post Office or United States Employment Service office in the Western Defense Command by persons who deem themselves entitled to exemption.

The following classes of persons are hereby authorized to be exempted from exclusion and evacuation upon the furnishing of satisfactory proof as specified in Form WDC–PM 5:

(*a*) German and Italian aliens seventy or more years of age.

(*b*) In the case of German and Italian aliens, the parent, wife, husband, child of (or other person who resides in the household and whose support is wholly dependent upon) an officer, enlisted man or commissioned nurse on active duty in the Army of the United States (or any component thereof), U. S. Navy, U. S. Marine Corps, or U. S. Coast Guard.

(*c*) In the case of German and Italian aliens, the parent, wife, husband, child of (or other person who resides in the household and whose support is wholly dependent upon) an officer, enlisted man or commissioned nurse who on or since December 7, 1941, died in line of duty with the armed services of the United States indicated in the preceding subparagraph.

(*d*) German and Italian aliens awaiting naturalization who had filed a petition for naturalization and who had paid the filing fee therefor in a court of competent jurisdiction on or before December 7, 1941.

(*e*) Patients in hospital, or confined elsewhere, and too ill or incapacitated to be removed therefrom without danger to life.

(*f*) Inmates of orphanages and the totally deaf, dumb, or blind.

The applicant for exemption will be required to furnish the kinds of proof specified in Form WDC–PM 5 in support of the application. The certificate of exemption from evacuation will also include exemption from compliance with curfew regulations, subject, however, to such future proclamations or orders in the premises as may from time to time be issued by this headquarters. The person to whom such exemption from evacuation and curfew has been granted shall thereafter be entitled to reside in any portion of any prohibited area, including those areas heretofore declared prohibited by the Attorney General of the United States.

J. L. DE WITT,
Lieutenant General, U. S. Army,
Commanding.

No. 20. CIVILIAN EXCLUSION ORDER NO. 1

HEADQUARTERS, WESTERN DEFENSE COMMAND AND FOURTH ARMY,
Presidio of San Francisco, California, March 24, 1942.

1. Pursuant to the provisions of Public Proclamations Nos. 1 and 2, this headquarters, dated March 2, 1942, and March 16, 1942, respectively, it is hereby ordered that all persons of Japanese ancestry, including aliens and nonaliens, be excluded from that portion of Military Area No. 1 described as "Bainbridge Island," in the State of Washington, on or before 12 o'clock noon, P. W. T., of the 30th day of March 1942.

2. Such exclusion will be accomplished in the following manner:

(*a*) Such persons may, with permission, on or prior to March 29, 1942, proceed to any approved place of their choosing beyond the limits of Military Area No. 1 and the prohibited zones established by said proclamations or hereafter similarly established, subject only to such regulations as to travel and change of residence as are now or may hereafter be prescribed by this headquarters and by the United States Attorney General. Persons affected hereby will not be permitted to take up residence or remain within the region designated as Military Area No. 1 or the prohibited zones heretofore or hereafter established. Persons affected hereby are required on leaving or entering Bainbridge Island to register and obtain a permit at the Civil Control Office to be established on said Island at or near the ferryboat landing.

(*b*) On March 30, 1942, all such persons who have not removed themselves from Bainbridge Island in accordance with Paragraph 1 hereof shall, in accordance with instructions of the Commanding General, Northwestern Sector, report to the Civil Control Office referred to above on Bainbridge Island for evacuation in such manner and to such place or places as shall then be prescribed.

(*c*) A responsible member of each family affected by this order and each individual living alone so affected will report to the Civil Control Office described above between 8 a. m. and 5 p. m. Wednesday, March 25, 1942.

3. Any person affected by this order who fails to comply with any of its provisions or who is found on Bainbridge Island after 12 o'clock noon, P. W. T., of March 30, 1942, will be subject to the criminal penalties provided by Public Law No. 503, 77th Congress, approved March 21, 1942, entitled "An Act to Provide a Penalty for Violation of Restrictions or Orders with Respect to Persons Entering, Remaining in, Leaving, or Committing Any Act in Military Areas or Zone", and alien Japanese will be subject to immediate apprehension and internment.

J. L. De Witt,
Lieutenant General, U. S. Army,
Commanding.

Instructions to All Japanese Living on Bainbridge Island

All Japanese persons, both alien and nonalien, will be evacuated from this area by twelve noon, Monday, March 30, 1942.

No Japanese person will be permitted to leave or enter Bainbridge Island after 9:00 a. m., March 24, 1942, without obtaining special permission from the Civil Control Office established on this island near the ferryboat landing at the Anderson Dock Store in Winslow.

The Civil Control Office is equipped to assist the Japanese population affected by this evacuation in the following ways:

1. Give advice and instructions on the evacuation.
2. Provide services with respect to the management, leasing, sale, storage, or other disposition of most kinds of property, including farms, livestock and farm equipment, boats, tools, household goods, automobiles, etc.
3. Provide temporary residence for all Japanese in family groups, elsewhere.
4. Transport persons and a limited amount of clothing and equipment to their new residence, as specified below.
5. Give medical examinations and make provision for all invalided persons affected by the evacuation order.
6. Give special permission to individuals and families who are able to leave the area and proceed to an approved destination of their own choosing on or prior to March 29, 1942.

The following instructions must be observed:

1. A responsible member of each family, preferably the head of the family, or the person in whose name most of the property is held, and each individual living alone, will report to the Civil Control Office to receive further instruction. This must be done between 8:00 a. m. and 5:00 p. m., Wednesday, March 25, 1942.
2. Before leaving the area all persons will be given a medical examination. For this purpose all members of the family should be present at the same time when directed by the Civil Control Office.
3. Under special conditions, individuals and families will be permitted to leave the area prior to the date for complete evacuation indicated above. In general, the conditions imposed on voluntary evacuation are as follows: (*a*) That the destination be outside of Military Area No. 1, prescribed by Proclamation No. 1 of the Commanding General, Western Defense Command and Fourth Army,

March 2, 1942; (*b*) That arrangements have been made for employment and shelter at the destination.

4. Provisions have been made to give temporary residence in a reception center elsewhere. Evacuees who do not go to an approved destination of their own choice, but who go to a reception center under Government supervision, must carry with them the following property, not exceeding that which can be carried by the family or the individual:

(*a*) Blankets and linens for each member of the family;

(*b*) Toilet articles for each member of the family;

(*c*) Clothing for each member of the family;

(*d*) Sufficient knives, forks, spoons, plates, bowls, and cups for each member of the family;

(*e*) All items carried will be securely packaged, tied, and plainly marked with the name of the owner and numbered in accordance with instructions received at the Civil Control Office;

(*f*) No contraband items may be carried.

5. The United States Government through its agencies will provide for the storage at the sole risk of the owner of only the more substantial household items, such as ice boxes, washing machines, pianos, and other heavy furniture. Cooking utensils and other small items must be crated, packed, and plainly marked with the name and address of the owner. Only one name and address will be used by a given family.

6. Each family and individual living alone who goes to a reception center will be furnished transportation and food for the trip. Transportation by private means will not be permitted. Instructions will be given by the Civil Control Office as to when evacuees must be fully prepared to travel.

Go to the Civil Control Office at the Anderson Dock Store in Winslow between 8:00 a. m. and 5:00 p. m. on March 25, 1942, to receive further instructions.

J. L. DeWitt,
Lieutenant General, U. S. Army, Commanding.

No. 21. Civilian Exclusion Order No. 2

Headquarters, Western Defense Command and Fourth Army,
Presidio of San Francisco, California, March 30, 1942.

1. Pursuant to the provisions of Public Proclamations Nos. 1 and 2, this headquarters, dated March 2, 1942, and March 16, 1942, respectively, it is hereby ordered that all persons of Japanese ancestry, including aliens and nonaliens, be excluded on or before 12 o'clock noon P. W. T., of Sunday, April 5, 1942, from those portions of Military Area No. 1 in the State of California described as follows:

Affected area No. 1.—Beginning at a point in the Pacific Ocean 3 miles west of the point in Los Angeles County, California, at which the northerly limits of the City of Redondo Beach meet the Pacific Ocean; thence, commencing in an easterly direction and following the boundary limits of the City of Redondo Beach to the intersection thereof with the southerly line of Torrance Boulevard; thence in an easterly direction along the southerly line of Torrance Boulevard to the point where the same intersects the westerly line of Cabrillo, in the City of Torrance; thence in a southerly direction along the westerly line of Cabrillo to the point point where the same intersects the southerly line of Carson Street; thence in an easterly direction along the southerly line of Carson Street to the point where the same intersects the westerly line of Alameda Street; thence in a southerly direction along the westerly line of Alameda Street to the point where the same intersects Ford Boulevard; thence in a southerly direction along the westerly line of Ford Boulevard and along Ford Boulevard extended to a point in the Pacific Ocean 3 miles seaward of the Continental Limits of the United States; thence commencing in a southwesterly direction and following a line 3 miles seaward of the Continental Limits of the United States to the point of beginning.

Affected area No. 2.—Beginning at the point in Los Angeles County, California, where the westerly line of Alameda Street intersects the southerly line of California State Highway #14 (also known as Artesia Street and Artesia Avenue); thence in an easterly direction along the southerly line of California State Highway #14 to the easterly boundary line of Los Angeles County; thence commencing southerly and following the easterly boundary line of Los Angeles County to a

point in the Pacific Ocean 3 miles seaward of the Continental Limits of the United States; thence westerly along a line 3 miles seaward of the Continental Limits of the United States to a point in the Pacific Ocean, 3 miles seaward of the westerly line of Ford Boulevard extended; thence northerly along the westerly line of Ford Boulevard extended and Ford Boulevard to the point, where the same intersects the westerly line of Alameda Street; thence northerly along the westerly line of Alameda Street to the point of beginning.

2. A responsible member of each family, and each individual living alone, in the above-described affected areas will report between the hours of 8:00 a. m. and 5:00 p. m., Tuesday, March 31, 1942, or during the same hours on Wednesday, April 1, 1942, to their respective Civil Control Stations located at:

Affected area No. 1: United States Employment Service Office, 362 West Seventh Street, San Pedro, California.

Affected area No. 2.— Japanese Presbyterian Church, 1333 Locust Avenue, Long Beach, California.

3. Any person affected by this order who fails to comply with any of its provisions or with the provision of published instructions pertaining hereto, or who is found in the above restricted areas after 12 o'clock noon, P. W. T., of Sunday, April 5, 1942, will be subject to the criminal penalties provided by Public Law No. 503, 77th Congress, approved March 21, 1942, entitled "An Act to Provide a Penalty for Violation of Restrictions or Orders with Respect to Persons Entering, Remaining in, Leaving, or Committing Any Act in Military Areas or Zone," and alien Japanese will be subject to immediate apprehension and internment.

J. L. De Witt,
Lieutenant General, U. S. Army, Commanding.

No. 22. Civilian Exclusion Order No. 3

Headquarters, Western Defense Command and Fourth Army,
Presidio of San Francisco, California, March 30, 1942.

1. Pursuant to the provisions of Public Proclamations Nos. 1 and 2, this headquarters, dated March 2, 1942, and March 6, 1942, respectively, it is hereby ordered that all persons of Japanese ancestry, both aliens and nonaliens, who were, prior to March 23, 1942, wholly dependent upon and resident with, and who are the wives, unmarried or dependent natural and adopted children, wards, stepchildren, fathers, mothers, and other dependent relatives, of those certain male Japanese aliens and nonaliens, who, on or about said date departed from Military Area No. 1, more particularly Los Angeles, California, and vicinity, for, and are now located at, the Manzanar Reception Center, Manzanar, California, be, and the same hereby are, excluded from Military Area No. 1, from and after 12:00 o'clock noon, P. W. T., of the second day of April 1942.

2. A responsible member of each such family group referred to in paragraph 1 above will report for instructions between the hours of 8:00 A. M. and 5:00 P. M., Monday, March 30, 1942, to the Civil Control Station located at 707 South Spring Street, Los Angeles, California.

3. Any person affected by this Order who fails to comply with any of its provisions, or with any of the published instructions pertaining hereto, or who is found in Military Area No. 1 after 12:00 o'clock noon, P. W. T., of Thursday, April 2, 1942, will be subject to the criminal penalties provided by Public Law No. 503, 77th Congress, approved March 21, 1942, entitled, "An Act to Provide a Penalty for Violation of Restrictions or Orders with Respect to Persons Entering, Remaining in, Leaving, or Committing Any Act in Military Areas or Zone," and alien Japanese will be subject to immediate apprehension and internment.

J. L. De Witt,
Lieutenant General, U. S. Army, Commanding.

Headquarters, Western Defense Command and Fourth Army,
Presidio of San Francisco, California, March 30, 1942.

NOTICE

To all persons of Japanese ancestry, both aliens and nonaliens, who were, prior to March 23, 1942, wholly dependent upon and resident with, and who are the wives, unmarried or dependent natural and adopted children, wards, stepchildren, fathers, mothers and other dependent relatives, of those certain male Japanese aliens and

nonaliens, who, or or about said date departed from Military Area No. 1, more particularly, Los Angeles, California, and vicinity for, and are now located at, the Manzanar Reception Center, Manzanar, California

1. A responsible adult member of each family affected by this notice will report to the Civil Control Station, 707 South Spring Street, Los Angeles, California, between the hours of 8:00 a. m. and 5:00 p. m. on Monday, March 30, 1942, to be informed of the arrangements that have been made for transportation to the Manzanar Reception Center.

2. Prior to departure for the reception center, arrangements must be made by individuals concerned for the disposition of the more substantial items of property left behind in Los Angeles. Note that privately owned vehicles will not be taken to the reception center. Services to assist in such disposition will be available at the Civil Control Station.

3. All persons going to the Manzanar Reception Center under the provisions of this notice will be given a medical examination prior to their departure. Information on this subject may be obtained at the Civil Control Station.

4. Each individual making the trip to Manzanar will take with him or her the following:

(*a*) Bedding and linens. (No mattress.)
(*b*) Toilet articles.
(*c*) Extra clothing.
(*d*) Silverware to include knife, fork, spoon, plates, bowls, cups, etc.
(*e*) Essential personal effects.

The above will be securely packaged, tied and plainly marked with the name of the owner, and numbered in accordance with instructions received at the Civil Control Station.

The size and number of packages is limited to that which can be carried by the individual or family group.

5. No contraband items, as described in paragraph 6, Public Proclamation No. 3, Headquarters Western Defense Command and Fourth Army, dated March 24, 1942, will be carried.

J. L. De Witt,
Lieutenant General, U. S. Army, Commanding.

No. 23. Civilian Exclusion Order No. 4

Headquarters, Western Defense Command and Fourth Army,
Presidio of San Francisco, California, April 1, 1942.

1. Pursuant to the provisions of Public Proclamations Nos. 1 and 2, this headquarters, dated March 2, 1942, and March 16, 1942, respectively, it is hereby ordered that all persons of Japanese ancestry, including aliens and nonaliens, be excluded on or before 12 o'clock noon P. W. T., of Wednesday, April 8, 1942, from that portion of Military Area No. 1 in the State of California described as follows:

All of San Diego County, California, south of a line extending in an easterly direction from the mouth of the San Dieguito River (northwest of Del Mar), along the north side of the San Dieguito River, Lake Hodges, and the San Pasqual River to the bridge over the San Pasqual River at or near San Pasqual; thence easterly along the southerly line of California State Highway No. 78 through Ramona and Julian to the eastern boundary line of San Diego County.

2. A responsible member of each family, and each individual living alone, in the above-described affected area will report between the hours of 8:00 a. m. and 5:00 p. m., Thursday, April 2, 1942, or during the same hours on Friday, April 3, 1942, to the Civil Control Station located at 1919 India Street, San Diego, California.

3. Any person affected by this order who fails to comply with any of its provisions or with the provisions of published instructions pertaining hereto, or who is found in the above restricted area after 12 o'clock noon, P. W. T., of Wednesday, April 8, 1942, will be subject to the criminal penalties provided by Public Law No. 503, 77th Congress, approved March 21, 1942, entitled "An Act to Provide a Penalty for Violation of Restrictions or Orders With Respect to Persons Entering, Remaining in, Leaving, or Committing Any Act in Military Areas or Zones," and alien Japanese will be subject to immediate apprehension and internment.

J. L. De Witt,
Lieutenant General, U. S. Army, Commanding.

No. 24. CIVILIAN EXCLUSION ORDER NO. 5

HEADQUARTERS, WESTERN DEFENSE COMMAND AND FOURTH ARMY,
Presidio of San Francisco, California, April 1, 1942.

1. Pursuant to the provisions of Public Proclamations Nos. 1 and 2, this headquarters, dated March 2, 1942, and March 16, 1942, respectively, it is hereby ordered that all persons of Japanese ancestry, including aliens and nonaliens, be excluded from and after 12 o'clock noon, P. W. T., of Tuesday, April 7, 1942, from that portion of Military Area No. 1 in the State of California described as follows:

All that portion of the City and County of San Francisco, State of California, lying generally west of the north-south line established by Junipero Serra Boulevard, Worchester Avenue, and Nineteenth Avenue, and lying generally north of the east-west line established by California Street, to the intersection of Market Street, and thence on Market Street to San Francisco Bay.

2. A responsible member of each family, and each individual living alone, in the above-described affected area, will report between the hours of 8:00 a. m. and 5:00 p. m., Thursday, April 2, 1942, or during the same hours on Friday, April 3, 1942, to the Civil Control Station located at 1701 Van Ness Avenue, San Francisco, California.

3. Any person affected by this order who fails to comply with any of its provisions or with the provisions of published instructions pertaining hereto, or who is found in the above-restricted area after 12 o'clock noon, P. W. T., of Tuesday, April 7, 1942, will be subject to the criminal penalties provided by Public Law No. 503, 77th Congress, approved March 21, 1942, entitled "An Act to Provide a Penalty for Violation of Restrictions or Orders With Respect to Persons Entering, Remaining in, Leaving, or Committing Any Act in Military Areas or Zones," and alien Japanese will be subject to immediate apprehension and internment.

J. L. DE WITT,
Lieutenant General, U. S. Army, Commanding.

No. 25. CIVILIAN EXCLUSION ORDER NO. 6

HEADQUARTERS, WESTERN DEFENSE COMMAND AND FOURTH ARMY,
Presidio of San Francisco, California, April 7, 1942.

1. Pursuant to the provisions of Public Proclamations Nos. 1 and 2, this headquarters, dated March 2, 1942, and March 16, 1942, respectively, it is hereby ordered that from and after 12 o'clock noon, P. W. T., of Tuesday, April 14, 1942, all persons of Japanese ancestry, including aliens and nonaliens, be excluded from those portions of Military Area No. 1 in the County of Los Angeles, State of California, described as follows:

Restricted Area No. 1.—All that portion of the County of Los Angeles, State of California, lying generally south of the east-west line established by Manchester Avenue, and Manchester Avenue extended, and lying generally west of the north-south line established by Western Avenue, excepting therefrom all that area from which persons of Japanese ancestry, both aliens and nonaliens, have been excluded heretofore by order of this headquarters.

Restricted Area No. 2.—All that portion of the County of Los Angeles, State of California, bounded on the south by Artesia Street, on the southeast and east by the Los Angeles County boundary line, on the north by Whittier Boulevard, and on the west by Atlantic Boulevard.

2. A responsible member of each family, and each individual living alone, in the above-described areas will report between the hours of 8:00 a. m. and 5:00 p. m., Wesnesday, April 8, 1942, or during the same hours on Thursday, April 9, 1942 to their respective Civil Control Station located at:

Restricted Area No. 1: 4311 147th Street, Los Angeles (Lawndale), California.

Restricted Area No. 2: 112 South Paramount Blvd., Downey, California.

3. Any person subject to this order who fails to comply with any of its provisions or with the provisions of published instructions pertaining hereto or who is found in the above restricted areas after 12 o'clock noon, P. W. T., of Tuesday, April 14, 1942, will be liable to the criminal penalties provided by Public Law No. 503, 77th Congress, approved March 21, 1942, entitled "An Act to Provide a Penalty for Violation of Restrictions or Orders With Respect to Persons Entering, Remain-

ing in, Leaving, or Committing Any Act in Military Areas or Zones" and alien Japanese will be subject to immediate apprehension and internment.

J. L. De Witt,
Lieutenant General, U. S. Army, Commanding.

No. 26. Civilian Exclusion Order No. 7

Headquarters Western Defense Command and Fourth Army,
Presidio of San Francisco, California, April 20, 1942.

1. Pursuant to the provisions of Public Proclamations Nos. 1 and 2, this headquarters, dated March 2, 1942, and March 16 1942, respectively, it is hereby ordered that from and after 12 o'clock noon, P. W. T., of Tuesday, April 28, 1942, all persons of Japanese ancestry, both alien and nonalien, be excluded from that portion of Military Area No. 1 described as follows:

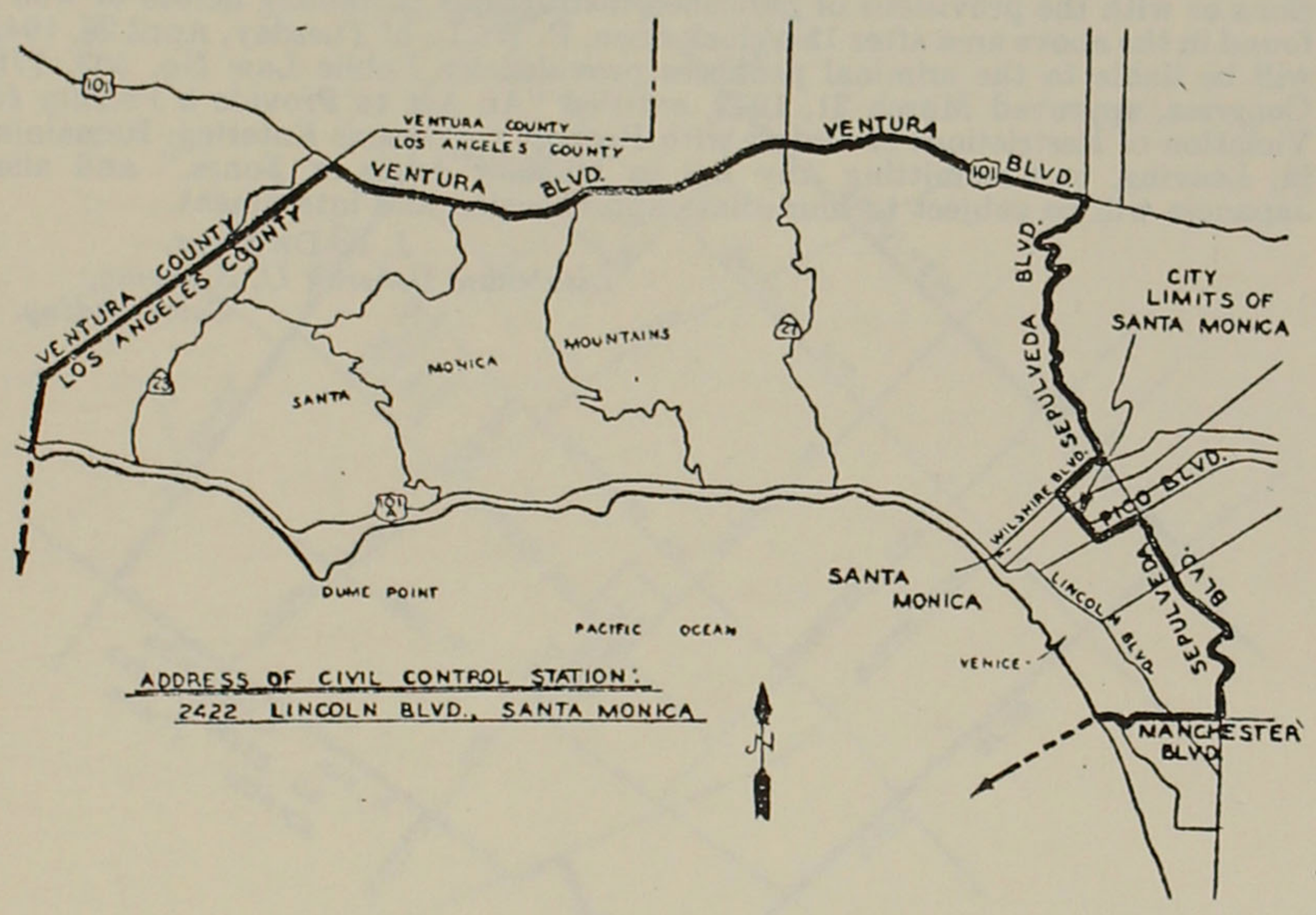
All that portion of the County of Los Angeles, State of California, within the boundary beginning at the point where the Los Angeles-Ventura County line meets the Pacific Ocean; thence northeasterly along said county line to U. S. Highway No. 101; thence easterly along said Highway No. 101 to Sepulveda Boulevard; thence southerly along Sepulveda Boulevard to Wilshire Boulevard; thence westerly on Wilshire Boulevard to the limits of the City of Santa Monica; thence southerly along the said city limits to Pico Boulevard; thence easterly along Pico Boulevard to Sepulveda Boulevard; thence southerly on Sepulveda Boulevard to Manchester Avenue; thence westerly on Manchester Avenue and Manchester Avenue extended to the Pacific Ocean; thence northwesterly across Santa Monica Bay to the point of beginning.

2. A responsible member of each family and each individual living alone in the above-described area will report between the hours of 8:00 a. m. and 5:00 p. m., Tuesday, April 21, 1942, or during the same hours on Wednesday, April 22, 1942, to the Civil Control Station located at 2422 Lincoln Boulevard, Santa Monica, California.

3. Any person subject to this order who fails to comply with any of its provisions or with the provisions of published instructions pertaining hereto or who is found in the above area after 12 o'clock noon, P. W. T., of Tuesday, April 28, 1942, will be liable to the criminal penalties provided by Public Law No. 503, 77th Congress, approved March 21, 1942, entitled "An Act to Provide a Penalty for Violation of Restrictions or Orders With Respect to Persons Entering, Remaining in, Leaving, or Committing Any Act in Military Areas or Zones," and alien Japanese will be subject to immediate apprehension and internment.

J. L. De Witt,
Lieutenant General, U. S. Army, Commanding.

PROHIBITED AREA
EXCLUSION ORDER NO. 7
WESTERN DEFENSE COMMAND AND FOURTH ARMY



This map is prepared for the convenience of the public; see the Civilian Exclusion Order for the full and correct description.

No. 27. CIVILIAN EXCLUSION ORDER NO. 8

HEADQUARTERS, WESTERN DEFENSE COMMAND AND FOURTH ARMY,
Presidio of San Francisco, California, April 20, 1942.

1. Pursuant to the provisions of Public Proclamations Nos. 1 and 2, this headquarters, dated March 2, 1942, and March 16, 1942, respectively, it is hereby ordered that from and after 12 o'clock noon, P. W. T., of Tuesday, April 28, 1942, all persons of Japanese ancestry, both alien and nonalien, be excluded from that portion of Military Area No. 1 described as follows:

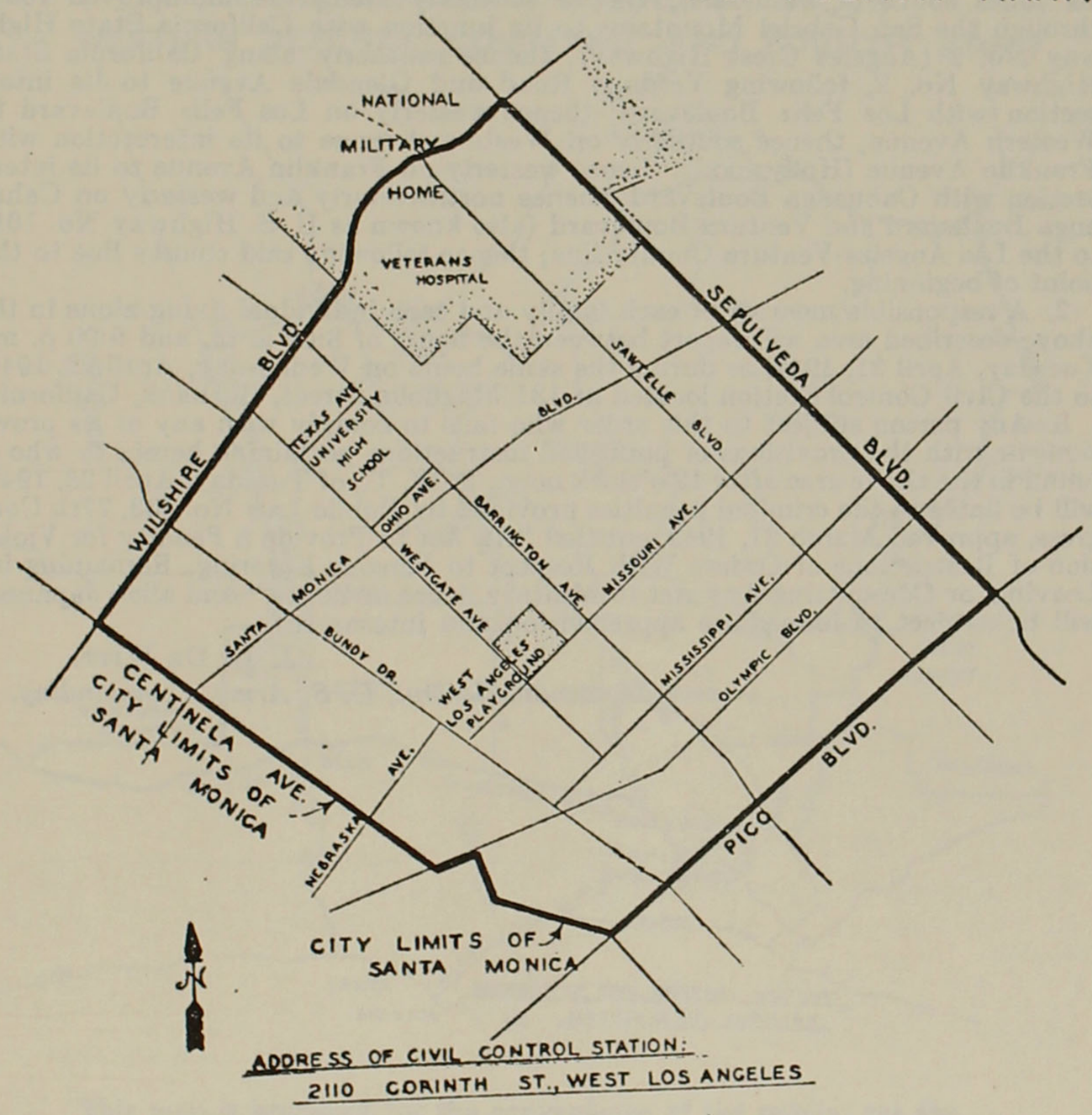
All that portion of the County of Los Angeles, State of California, bounded on the northwest by Wilshire Boulevard, on the northeast by Sepulveda Boulevard, on the southeast by Pico Boulevard, and on the southwest by the northeasterly limits of the City of Santa Monica.

2. A responsible member of each family and each individual living alone in the above-described area will report between the hours of 8:00 a. m. and 5:00 p. m., Tuesday, April 21, 1942, or during the same hours on Wednesday, April 22, 1942, to the Civil Control Station located at 2110 Corinth Street, West Los Angeles, California.

3. Any person subject to this order who fails to comply with any of its provisions or with the provisions of published instructions pertaining hereto or who is found in the above area after 12 o'clock noon, P. W. T., of Tuesday, April 28, 1942, will be liable to the criminal penalties provided by Public Law No. 503, 77th Congress, approved March 21, 1942, entitled "An Act to Provide a Penalty for Violation of Restrictions or Orders with Respect to Persons Entering, Remaining in, Leaving, or Committing Any Act in Military Areas or Zones," and alien Japanese will be subject to immediate apprehension and internment.

J. L. DE WITT,
Lieutenant General, U. S. Army,
Commanding.

PROHIBITED AREA
EXCLUSION ORDER NO. 8
WESTERN DEFENSE COMMAND AND FOURTH ARMY



This map is prepared for the convenience of the public; see the Civilian Exclusion Order for the full and correct description.

No. 28. CIVILIAN EXCLUSION ORDER NO. 9

HEADQUARTERS, WESTERN DEFENSE COMMAND AND FOURTH ARMY,
Presidio of San Francisco, California, April 20, 1942.

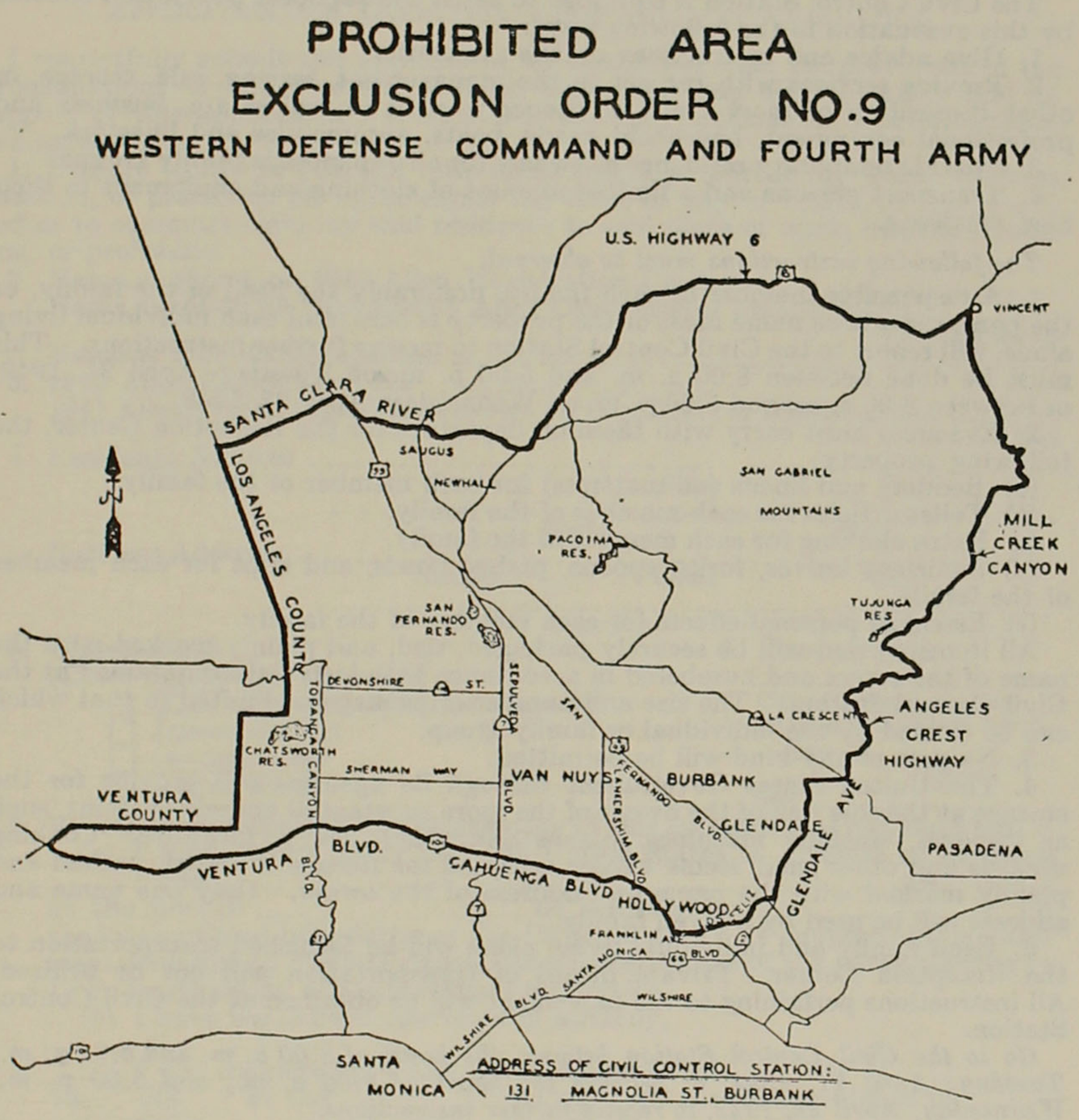
1. Pursuant to the provisions of Public Proclamations Nos. 1 and 2, this headquarters, dated March 2, 1942, and March 16, 1942, respectively, it is hereby ordered that from and after 12 o'clock noon, P. W. T., of Tuesday, April 28, 1942, all persons of Japanese ancestry, both alien and nonalien, be excluded from that portion of Military Area No. 1 described as follows:

All that portion of the County of Los Angeles, State of California, within the boundary beginning at the point where the Santa Clara River crosses the Los Angeles-Ventura County line, and following said river in an easterly direction to its intersection with U. S. Highway No. 6; thence along U. S. Highway No. 6 to its intersection with an unimproved road at a point at or near Vincent (about six miles south of Palmdale); thence southerly along the unimproved road, through the San Gabriel Mountains to its junction with California State Highway No. 2 (Angeles Crest Highway); thence southerly along California State Highway No. 2, following Verdugo Road and Glendale Avenue to its intersection with Los Feliz Boulevard; thence westerly on Los Feliz Boulevard to Western Avenue; thence southerly on Western Avenue to its intersection with Franklin Avenue (Hollywood); thence westerly on Franklin Avenue to its intersection with Cahuenga Boulevard; thence northwesterly and westerly on Cahuenga Boulevard and Ventura Boulevard (also known as U. S. Highway No. 101) to the Los Angeles-Ventura County line; thence following said county line to the point of beginning.

2. A responsible member of each family and each individual living alone in the above-described area will report between the hours of 8:00 a. m. and 5:00 p. m., Tuesday, April 21, 1942, or during the same hours on Wednesday, April 22, 1942, to the Civil Control Station located at 131 Magnolia Street, Burbank, California.

3. Any person subject to this order who fails to comply with any of its provisions or with the provisions of published instructions pertaining hereto or who is found in the above area after 12 o'clock noon, P. W. T., of Tuesday, April 28, 1942, will be liable to the criminal penalties provided by Public Law No. 503, 77th Congress, approved March 21, 1942, entitled "An Act to Provide a Penalty for Violation of Restrictions or Orders With Respect to Persons Entering, Remaining in, Leaving, or Committing Any Act in Military Areas or Zones," and alien Japanese will be subject to immediate apprehension and internment.

J. L. DE WITT,
Lieutenant General, U. S. Army, Commanding.



This map is prepared for the convenience of the public; see the Civilian Exclusion Order for the full and correct description.

Pursuant to the provisions of Civilian Exclusion Order No. 9, this headquarters, dated April 20, 1942, all persons of Japanese ancestry, both alien and nonalien, will be evacuated from the above area by 12 o'clock noon, P. W. T., Tuesday, April 28, 1942.

No Japanese person living in the above area will be permitted to change residence after 12 o'clock noon, P. W. T., Monday, April 20, 1942, without obtaining special permission from the representative of the Commanding General, Southern California Sector, at the Civil Control Station located at 131 Magnolia Street, Burbank, California. Such permits will only be granted for the purpose of uniting members of a family, or in cases of grave emergency.

The Civil Control Station is equipped to assist the Japanese population affected by this evacuation in the following ways:

1. Give advice and instructions on the evacuation.
2. Provide services with respect to the management, leasing, sale, storage, or other disposition of most kinds of property, such as real estate, business and professional equipment, household goods, boats, automobiles and livestock.
3. Provide temporary residence elsewhere for all Japanese in family groups.
4. Transport persons and a limited amount of clothing and equipment to their new residence.

The following instructions must be observed;

1. A responsible member of each family, preferably the head of the family, or the person in whose name most of the property is held, and each individual living alone, will report to the Civil Control Station to receive further instructions. This must be done between 8:00 a. m. and 5:00 p. m. on Tuesday, April 21, 1942; or between 8:00 a. m. and 5:00 p. m. on Wednesday, April 22, 1942.
2. Evacuees must carry with them on departure for the Reception Center, the following property:
   (*a*) Bedding and linens (no mattress) for each member of the family.
   (*b*) Toilet articles for each member of the family.
   (*c*) Extra clothing for each member of the family.
   (*d*) Sufficient knives, forks, spoons, plates, bowls, and cups for each member of the family.
   (*e*) Essential personal effects for each member of the family.

   All items carried will be securely packaged, tied, and plainly marked with the name of the owner and numbered in accordance with instructions obtained at the Civil Control Station. The size and number of packages is limited to that which can be carried by the individual or family group.
3. No pets of any kind will be permitted.
4. The United States Government through its agencies will provide for the storage at the sole risk of the owner of the more substantial household items, such as iceboxes, washing machines, pianos and other heavy furniture. Cooking utensils and other small items will be accepted for storage if crated, packed and plainly marked with the name and address of the owner. Only one name and address will be used by a given family.
5. Each family and individual living alone will be furnished transportation to the Reception Center. Private means of transportation will not be utilized. All instructions pertaining to the movement will be obtained at the Civil Control Station.

Go to the Civil Control Station between the hours of 8:00 a. m. and 5:00 p. m., Tuesday, April 21, 1942, or between the hours of 8:00 a. m., and 5:00 p. m., Wednesday, April 22, 1942, to receive further instructions.

J. L. DeWitt,
Lieutenant General, U. S. Army, Commanding.

April 20, 1942.
See Civilian Exclusion Order No. 9.

No. 29. INSTRUCTIONS FOR APPLICANTS FOR EXEMPTION

(*a*) This application must be filled out completely, preferably on the typewriter or in legible longhand writing in ink.
(*b*) Inapplicable language should be stricken out.
(*c*) This form may be used only for the seeking of the exemptions herein specified. No other exemptions have been authorized. *For Japanese, only the exemptions specified in paragraphs 9 (e), (f), and (g) are available.*

(*d*) This application form may be procured at any United States Post Office or United States Employment Service Office within the Western Defense Command area. When completed it must be taken or mailed by the applicant with all supporting evidence or documents to the Selective Service Draft Board for the area in which the applicant resides.

WAR DEPARTMENT

HEADQUARTERS, WESTERN DEFENSE COMMAND
AND FOURTH ARMY

APPLICATION FOR EXEMPTION FROM MILITARY EVACUATION

I respectfully submit this application for exemption from the provisions of the Proclamations of the Western Defense Command and Fourth Army and in support of this application I submit the following information, representations, and agreements:

1. I desire to live in peaceful retirement and/or to pursue my work, business vocation, or profession at, in, or about the town or city of _____ and/or to commute from my said residence to said place of work, business, vocation, or profession.
2. Name as shown on 1940 Alien Registration Card _____.
   Name as shown on 1941 Enemy Alien Certificate of Identification _____.
   Form AR-AE-23
   Name of Non-Alien Japanese _____.
3. 1940 Alien Registration No _____.
   1941 Alien Registration No. as shown on Certificate of Identification _____.
   Form AR-AE-23
4. Residence Address _____.
   Number Street City
   _____
   County State
   Business Address _____.
   Number Street City
   _____
   County State
5. Classification:
   (*Check appropriate statement*)
   - ☐ U. S. citizen of Japanese ancestry
   - ☐ Japanese alien
   - ☐ German alien
   - ☐ Italian alien

6. Place of birth:
   _____
   City or Town County
   Attained age last birthday _____.
   years
   Sex _____.
7. By way of inducement for the granting of this application, I represent that—
   (*a*) I made lawful entry into the United States of America on or about the _____ day of _____, 19__ (18__) at the port of _____ or the town of _____ on the international boundaries of the United States. In support of this statement I submit an original signed letter or certificate of the port authority or U. S. Immigration and Naturalization Service.
   (*b*) I have never been convicted of a felony,
   or
   I was convicted of a felony on or about the _____ day of _____, 19___ (18___) at the _____ Court and served a sentence of _____ years and _____ months during the period _____ to _____ at _____ Penitentiary or Prison in the State of _____.
8. By way of further inducement for the granting of this application:
   (*a*) I promise that I shall conform to all the rules, regulations, and proclamations of the Western Defense Command and Fourth Army governing my choice of place of residence and my travels to and from such residence within the Western Defense Command territorial jurisdiction.
   (*b*) I understand that I shall not be permitted to be personally present at the time of the hearing on or review of this application by the local Draft Board or other reviewing agency appointed for that purpose, but that such local Draft Board or other reviewing agency may summon witnesses and examine any and all documents or records bearing upon the truth, falsity, or sufficiency of this application without right of cross examination by me or the privilege of representation by counsel.

9. I base my request for exemption or deferment from military evacuation upon one or more of the following grounds:

(*The applicant must check and fill in each statement in this paragraph 9 so far as appropriate to his case. Except as otherwise indicated in the subsections in this paragraph 9 the exemptions herein referred to are available only to German and Italian aliens.*)

(*a*) I am a ☐ German ☐ Italian alien and I am seventy or more years of age, as proof of which I submit:

- ☐ Certified copy of birth certificate.
- ☐ Baptismal record or certificate.
- ☐ Passport.
- ☐ Marriage certificate.
- ☐ Census office report.
- ☐ An affidavit on the part of the applicant disclosing the reasons why any of the foregoing proofs of age were not made available, together with an affidavit of a creditable person who has known the applicant for at least five years, giving the facts disclosing or indicating the applicant's age.

(*b*) I am a ☐ German ☐ Italian alien and I am the _____
(parent, wife, husband or child)

of an officer, enlisted man, or commissioned nurse in the U. S. Army, U. S. Navy, U. S. Marine Corps, or U. S. Coast Guard, in proof of which I submit:

- ☐ A certificate or signed original letter of the Chairman of the local Selective Service Draft Board showing the induction or enlistment of said relative.
- ☐ A certificate or original signed letter of the Adjutant General of the State from which said service connected relative enlisted or was inducted.
- ☐ A certificate or signed original letter of the commanding officer of the ship, station, unit or organization on, at or in which such service connected relative is stationed.
- ☐ A signed original letter from the service connected relative stating clearly and substantially that he (she) is in the armed forces of the United States and giving his (her) name, rank, branch of service, and, to the extent permitted by military regulation, the unit ororganization to which he (she) is assigned.

(*c*) I am a ☐ German ☐ Italian alien and I am the _____
(parent, wife, husband or child)

of an officer, enlisted man, or commissioned nurse who died in line of duty with the armed forces of the United States on or since December 7, 1941. In proof of this statement, I submit the original or certified copy of the notice of death from the War Department or Navy Department. In case said notice is not addressed to me, then I shall submit herewith an affidavit of a creditable person stating my relationship to such deceased relative.

(*d*) I am a ☐ German ☐ Italian alien and I am awaiting disposition of my application to become a naturalized citizen of the United States of America. In proof of this I submit the following verified information:

☐ On or before December 7, 1941, I appeared with my witnesses and paid the $5.00 filing fee for a petition for naturalization. My petition, No. _____, is still pending in the (State) or (U. S. District) Court at _____
City State

(The above statement must be certified correct by the clerk of the court where petition is pending.)

Certified correct:

_____
Clerk.

(*e*) I am a patient in a hospital, or confined at my home too ill to be removed therefrom without substantially and certainly endangering my life. In proof of this statement I submit herewith a sworn statement by my attending physician which will disclose: The date of commencement of my illness or confinement, the exact nature in precise medical terms of the nature of my illness, the extent to which it incapacitates me, and in what manner

my evacuation would be likely to endanger my life. I agree that I will not present my application for exemption based on the grounds stated in this subsection until after the date for my evacuation has been announced by proclamation or order of the Western Defense Command and Fourth Army. I also agree to notify the nearest office of the Federal Bureau of Investigation and the office of the Provost Marshal, Western Defense Command at the Presidio of San Francisco at least two full days in advance of my impending discharge from such hospital or of my impending release from the care of my physician.

(*f*) I am a minor of the age and racial classification first above specified. I reside with my ☐ parents, ☐ guardian or ☐ _____ orphanage, at the residence address specified in paragraph 4 hereof.

(*g*) I am totally ☐ deaf, ☐ dumb, ☐ blind and I reside with _____ _____ at the address specified in paragraph 4 of this application

NOTE.—(1) In the case of minors residing in family groups or private orphanages, the several applications should be fastened together and submitted for consideration as family or orphanage groups. In the case of the above specified minors, the application must be signed in the name of the minor by the parent, guardian or custodian.

(2) Persons who are adult or minor incompetents, wards, or inmates of any state, federal or other public institution, orphanage or penal institution cannot make this application, but the superintendent or the chief executive or administrative officer of such federal, state, or public institution will be requested to report the presence of such Japanese, German, or Italian alien ward or inmate, or Japanese citizen ward or inmate to the Provost Marshal of the Western Defense Command.

I do hereby declare that all of the foregoing statements and all the statements contained in the proofs submitted herewith are true, and on the basis of the truth of said statements, I respectfully submit this application this_____day of _____, 1942.

_____
Applicant.
(Signature or mark of the applicant)

THE FOLLOWING SPACES AND PROCEDURES FOR LOCAL DRAFT BOARD AND MILITARY AUTHORITIES ONLY

Action of Draft Board:
Approved
Disapproved
Date_____
Place_____
Chairman or Clerk_____
Draft Board No_____
State_____

Action of Army Reviewing Officer:
Approved
Disapproved
Date_____
Place_____
Headquarters_____
Title_____
Rank_____

Temporary Permit No_____, issued to Applicant at_____
Dated_____ Headquarters_____
Place_____
Rank and title of Issuing Officer_____
_____

NOTE.—This application if approved will be retained as a permanent record at the military headquarters issuing the final approval.

No. 30. INFORMATION AND INSTRUCTIONAL BULLETIN

PROCEDURES FOR OBTAINING EXEMPTIONS FROM EVACUATION AND CURFEW

HEADQUARTERS, WESTERN DEFENSE COMMAND AND FOURTH ARMY,
Presidio of San Francisco, California.

1. The Commanding General has announced that certain classes of persons may request exemption from or deferment of the provisions of Proclamations and Civilian Exclusion Orders as are issued from time to time by or under the authority

of Headquarters, Western Defense Command, requiring the evacuation of certain classes of persons from prescribed military areas or zones.

2. Form WDC–PM 5 entitled "Application for Exemption from Military Evacuation" identifies the classes of persons entitled to apply for exemption or deferment from evacuation, and prescribes the procedures and the nature of the proof to be submitted for such exemption.

3. Forms of "Application for Exemption from Military Evacuation" (WDC–PM 5) will be available at all United States Post Offices, Offices of the United States Immigration Service, and offices maintained by Wartime Civil Control Administration in all of the states in the Western Defense Command Area. Authorized persons will be on duty there during usual business hours, to assist qualified applicants for exemption in the preparation of the application forms.

4. When completed, the application form WDC:PM 5, together with all of the designated proofs required in connection therewith, must be taken or mailed by the applicant to the Selective Service local Draft Board in the area in which applicant resides.

5. The local Draft Board, upon receipt of the application form, will determine its completeness and the sufficiency of the proofs attached thereto. If found to be complete and sufficient, the local Draft Board will transmit the application, with its recommended approval, to a designated Military Commander for final decision. If the application is disapproved by the local Draft Board, it will be returned to the applicant.

6. If the designated Military Commander concurs in the recommendation of the local Draft Board, he will issue to the applicant a permit authorizing him to continue to reside and to work in the prohibited or restricted area, and to be exempt from the necessity of conforming to curfew regulations.

7. If the application for exemption from evacuation and the supporting documents are approved by the designated Military Commander, the application will be retained as a permanent record by the Military Commander. If, on the other hand, the application is disapproved by the Military Commander, it and all its supporting documents will be returned to the applicant.

No. 31. FEDERAL RESERVE BANK OF SAN FRANCISCO

FISCAL AGENT OF THE UNITED STATES

Evacuee Property Department

MARCH 11, 1942.

MEMORANDUM OF FUNCTIONS AND OPERATIONS OF THE EVACUEE PROPERTY DEPARTMENT OF THE FEDERAL RESERVE BANK OF SAN FRANCISCO AS FISCAL AGENT OF THE UNITED STATES, AND SUGGESTED PROCEDURE FOR COOPERATION OF OTHER BANKS IN ADMINISTRATION OF EVACUATION PROGRAM

In its operations as fiscal agent of the United States, the Federal Reserve Bank of San Francisco has been delegated the duty of assisting Japanese, German, and Italian aliens and persons of Japanese ancestry evacuating from the military areas which have been designated by Headquarters, Western Defense Command and Fourth Army, Presidio of San Francisco, California, in Public Proclamation No. 1, issued under date of March 2, 1942, in arranging for the protection, preservation, and equitable disposition of the property holdings of such evacuees. In this operation, the Federal Reserve Bank of San Francisco is subject to the general direction of the military authorities.

The following general outline of procedure has been established for the administration of this program.

1. The Federal Reserve Bank of San Francisco will not take possession of property of an evacuee as an alien property custodian, but will serve largely as an adviser to the evacuee in the matter of disposition of his property.

2. All dealings with the evacuee will be on a purely voluntary basis, and he will have complete freedom in disposing of this property.

3. The evacuee will be encouraged in his own interest to make private arrangements for the disposition of his property by sale, lease, or other appropriate means by either:

(*a*) Independent action of the evacuee on his own account, or
(*b*) Through an agent of the evacuee's own selection.

4. In the selection of an agent the Federal Reserve Bank of San Francisco will recommend the appointment by the evacuee of some person or institution in

which the evacuee reposes confidence to represent his interest such as his bank, his attorney, or his real estate agent.

5. If an evacuee is unable to otherwise arrange for the equitable disposal of his property or for an agent acceptable to the evacuee to represent him, the Federal Reserve Bank of San Francisco will give consideration to accepting his power of attorney.

6. Each case will be considered on its individual merits and disposed of on that basis.

7. All advice and assistance possible will be provided the evacuee by the Federal Reserve Bank of San Francisco, and it is expected that the banks and others within the areas involved who are approached by evacuees for assistance will likewise extend their full assistance and cooperation to the end that the purpose of the program will be completely served. It is recognized that the assistance of the banks in the field will make for greater speed in the execution of the program.

8. The Federal Reserve Bank of San Francisco will endeavor to advise and assist banks and others whom the evacuees select as their agents in the performance of their agencies. Obviously, if the banks and others within the military areas who are approached by evacuees to act as agents will accept such agencies, the entire program will benefit.

9. From time to time the Federal Reserve Bank of San Francisco will disseminate such information and instructions as will assist in the administration of the plan.

10. Assistance will be provided by governmental agencies, both Federal and State, in the administration of the evacuation plan, including those agencies handling other aspects of the evacuee problem. The evacuees and their representatives, including their agents, should seek the help of such agencies for specific matters within their fields such as those arising out of the treatment of growing crops and other specialized problems.

11. While emphasis is placed on the liquidation of the property holdings of the evacuee, he will be informed by the Federal Reserve Bank of San Francisco that he may retain ownership of property left behind if appropriate arrangements can be made for its protection and preservation.

12. The program will be administered by the Federal Reserve Bank of San Francisco through its head office and through its branches in Seattle, Wash., Portland, Oreg., and Los Angeles, Calif., as well as such other offices as may be established in the areas for the efficient furtherance of its aims. The Federal Reserve Bank of San Francisco has established its Evacuee Property Department in San Francisco, Calif., at 500 California Street in that city.

13. It is intended to undertake to forestall action by unscrupulous creditors which would be detrimental to the interest of the evacuee and in all respects to minimize his losses to the greatest possible extent in connection with the disposition of his property. It is anticipated that this will be accomplished to a large extent through appeal to the creditor's sense of fair play and the obvious necessity of complete cooperation in the administration of the evacuation program. Any cases in which an equitable settlement is not agreed upon should be promptly brought to the attention of the Federal Reserve Bank of San Francisco.

14. No compulsion will be placed upon evacuees to utilize the facilities provided by the Federal Reserve Bank of San Francisco, but they are invited to make use of them.

The foregoing are intended to set forth certain basic principles which the Federal Reserve Bank, acting in its capacity as fiscal agent of the United States, feels to be important in the efficient, speedy, and proper execution of its duties. In the conduct of the evacuation plan it is particularly desired that the banks throughout the areas will extend their full cooperation in the knowledge that by widespread assistance to the evacuees the problems incident to their removal from the areas can be most readily and expeditiously solved. In their fulfillment of their places in this program, banks are requested to give consideration to the procedure and principles enumerated above. As the program goes forward the Federal Reserve Bank of San Francisco proposes to communicate to the banks additional suggestions and outlines of procedure or changes in procedure calculated to improve its administration of the program and to provide public circulation of data directed toward its speedy accomplishment.

No. 32. FEDERAL RESERVE BANK OF SAN FRANCISCO

FISCAL AGENT OF THE UNITED STATES

March 18, 1942

EVACUEE PROPERTY DEPARTMENT—CIRCULAR NO. 1

To Banks, Bankers, Trust Companies, and Others Concerned, in the Twelfth Federal Reserve District.

DEAR SIRS: There has been issued the following regulation of March 18, 1942:

Code of Federal Regulations,
Title 31 Money and Finance: Treasury,
Chapter 1—Monetary Offices,
Department of the Treasury,
Part 130.

Special Regulation No. 1, Under Executive Order No. 8389, April 10, 1940, as Amended, and Section 5 (b) of the Trading with the Enemy Act, as Amended by the First War Powers Act, 1941, Relating to Transactions in Special Blocked Property [1]

By virtue of the authority vested in the Federal Reserve Bank of San Francisco, Fiscal Agent of the United States, pursuant to Section 5 (b) of the Trading with the Enemy Act as amended by the First War Powers Act, by virtue of the authority vested in such bank by the Commanding General of the Western Defense Command and Fourth Army, and by virtue of all other authority vested in such bank, the following special regulations are hereby prescribed:

(1) The acquisition, disposition, or transfer of, or other dealing in, or exercising any right, power, or privilege with respect to any property hereafter designated as Special Blocked Property is prohibited except as authorized by license expressly referring to this regulation.

(2) Applications for any such license may be filed on Form TFE–1 by any person with the nearest office of the Federal Reserve Bank of San Francisco. Such applications should set forth (a) the interest, if any, of the applicant in the property; (b) the details of the transaction for which a license is requested, including the terms of any proposed settlement; (c) the manner in which the interest of the evacuee national in the property is being protected; and (d) whether or not the evacuee national is in agreement with the proposed settlement.

(3) As used in this special regulation and in any ruling, license, instruction, etc.:

(a) The term "evacuee national" shall mean any Japanese, German, or Italian alien, or any person of Japanese ancestry, resident on or since December 7, 1941, in Military Area No. 1 or in specified zones in other Military Areas prescribed in or pursuant to public proclamations issued by Lieutenant General J. L. De Witt, Commanding General of the Western Defense Command and Fourth Army. For the purpose of this regulation all evacuee nationals are nationals of a foreign country.

(b) The term "Special Blocked Property" shall mean property in which an evacuee national has an interest and which has been designated as Special Blocked Property by the Federal Reserve Bank of San Francisco in one or more of the following ways:

(*i*) There is posted on or reasonably near such property an official Federal Reserve Bank of San Francisco notice that such property is Special Blocked Property.

(*ii*) The person holding such property or having possession or custody thereof has been notified by the Federal Reserve Bank of San Francisco that such property is Special Blocked Property.

(*iii*) One or more persons having an interest in such property have been notified by the Federal Reserve Bank of San Francisco that such property is Special Blocked Property.

FEDERAL RESERVE BANK OF SAN FRANCISCO,
Fiscal Agenct of the United States
By WM. A. DAY, *President.*

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[1] Part 130—Sec. 5(b), 40 Stat. 415 and 966; Sec. 2, 48 Stat. 1; 54 Stat. 179; Public, No. 354, 77th Congress, Executive Order 8389, April 10, 1940, as amended by Executive Order 8785, June 14, 1941, Executive Order 8832, July 26, 1941, Executive Order 8963, December 9, 1941, Executive Order 8998, December 26, 1941, Executive Order 9066, February 19, 1942, Executive Order 9095, March 11, 1942.

For your information the following statement to the press was released March 17, 1942.

"In order to protect Japanese and other evacuees, the Federal Reserve Bank of San Francisco, as Fiscal Agent of the United States, today issued regulations designed to bring about equitable settlements between creditors and West Coast evacuees.

"The new regulations are intended to forestall unfair action by unscrupulous creditors which would be detrimental to the interests of the evacuee and to minimize his losses in connection with the disposition of his property.

"It is anticipated that this will be accomplished to a large extent by direct appeal to the creditors' sense of fair play and the obvious necessity for complete cooperation in the administration of the evacuation program.

" 'We want any Japanese or other evacuee who finds that he has difficulty in reaching an equitable settlement with his creditors to come to the nearest office of the Evacuee Property Department of the Federal Reserve Bank. At the bank we can discuss his case and take the necessary steps to protect the evacuee from unjust losses,' William A. Day, President of the Federal Reserve Bank, stated.

"Bank officials warned that the initiative under the new regulations will rest with the evacuee. After the evacuee has attempted to make an equitable settlement with his creditors and has failed, he should go to the nearest office of the Evacuee Property Department of the Federal Reserve Bank and lay all the facts before one of its representatives.

"The bank will call in the creditor and hear his side of the case and make every effort to bring about an amicable settlement of the matter. If the creditor is unreasonable and insists on taking unfair advantage of the evacuee, the Federal Reserve Bank may freeze the evacuee's property by designating it as Special Blocked Property.

"Following this step the bank will either post a notice on or near the property of the evacuee, stating that the property described in the notice is Special Blocked Property, or will notify the person holding or having possession of the property, or persons having an interest in it, that such property is Special Blocked Property. Federal Reserve Bank officials stated that persons dealing with evacuees may assume that their property is not Special Blocked Property unless they are affirmatively on notice to the contrary.

"After the property has been declared Special Blocked Property, any acquisition, disposition, or transfer of that property is subject to a license issued by the Federal Reserve Bank. Applications for such licenses may be filed with the nearest office of the bank.

"Because the bank wishes to protect the evacuee not only in transactions involving real property but also in those involving all kinds of personal property, the regulations make it possible for any kind of property to be designated as Special Blocked Property.

"By these broad provisions the regulations enable the bank to protect the evacuee in such typical transactions as conditional sales, instalment purchases, or any other type of dealing in any kind of property, if the evacuee will first undertake the simple step of petitioning the bank to declare his property Special Blocked Property.

"The bank made clear that it will be on guard for any attempt on the part of evacuees to avoid the payment of reasonable creditors' claims through today's regulations."

Yours very truly,

WM. A. DAY, *President.*

Archival documents
December 7, 1941–December 31, 1941

OUTGOING CALL

Major Bendetsen - Colonel Meredith, Chief of Staff,
9th Corps Area.

11:00 p.m. Dec. 7, 1941.

Maj. B. A Proclamation was signed tonite at 7 p.m. for initiating control of alien enemy program. Under the provisions of the joint agreement between Justice and War, as you know, dangerous aliens are to be picked up and arrested by the F.B.I. We have contingent responsibility to provide detention facilities prior to the hearings where Justice doesn't have them. Now, because of the fact that we do not want to encourage reprisals against our own Nationals in Japan, we are going out of our way to avoid the use of jails. In other words, we do not want to put them in jails unless there are no other facilities available. For that reason I hope this call is not being listened into. It is a secret call. Out there, there are 256 on the list to be picked up in the Los Angeles area and the Immigration Service can provide for all but 141. On the assumption that they will be able to get them all tonight, which I doubt, they will call on you to provide facilities for 141 for which they cannot provide. In fact, the War Department so authorizes you to provide such facilities in the Los Angeles area as they may need.

Col. M. You want them kept in the Los Angeles area?

Maj. B. Yes, sir. If you have anything down there. Perhaps you can put them in Fort McArthur.

Col. M. We cannot put them in Fort McArthur.because of

Maj. B. We have the Army problem hereagainst that thing. I don't suppose you would want to use the Reception Center there.

Col. M. They're all at the same post. C.C.C. Camp in Los Angeles had been turned over to the Immigration Service for that purpose. The one called Tuna Canyon.

Maj. B. Right. In the meantime they have no facilities for everything.

Col. M. You mean the 141 will be the overflow?

Maj. B. Yes. Probably the District Director of the Immigration Service in Los Angeles in the Federal Building will call you some time tonight or tomorrow morning and actually request you to take them over.

Col. M. If you do take them over, you can get the necessary guards out of the Company at Los Angeles - the 53d.

Col. M. We need them to take care of things there.

Maj. B. By the way, Colonel Meredith, they have something here not yet gone out which will provide for making available to you one infantry regiment, 136th Division, Bowie, Texas.

Col. M. We need them as fast as we can get them.

Maj. B. It isn't part of my division, but I will take it up with the PMG at once and I think these people can be made available at once.

Col. M. I'd like to get them at once.

Maj. B. When you take up the aliens, youcan provide Class 2 overcoats, or anything they need - toilet articles such as you issue soldiers at the service center.

Col. M. We can use any equipment we need to take care of them?

Maj. B. Right. You can provide same rations as for soldiers. If you get a high type of prisoner, you must provides sheets, etc. Use your discretion. They are not criminals and must not be regarded as such.

Col. M. Where can we put them.

Maj. B. We must keep them in the Los Angeles area as they are going to hold hearings in the area where they are picked up. G-4 will make funds available tomorrow morning for construction of 3 C Camp at Griffith Park. You can spend the money and prepare the camp. It is approved. Can you get them there tomorrow, do you think?

Col. M. We can get somebody working and take care of it. You prefer they be kept in the Los Angeles Area.

Maj. B. If you have anything, it is in your discretion.

Col. M. You get troops and money here for the camp.

Maj. B. It's outside the pale a little bit, but apparently Senator Downey called and said perhaps you might want to suggest through the Commanding General to Governor Olson that he declare some sort of a curfew on Japs. If Governor Olson has the power to do it, we aren't concerned. If he wants to try it, it's his business. There's no curfew prescribed in Order but no alien can come within mile of your camp but no curfew. But the Commanding General thought it a good idea - Senator Downey merely made suggestion.

Col. M. I don't think we'd better meddle with them out here.

Maj. B. Just thought I'd relay it.

~~SECRET~~

WAR DEPARTMENT

OFFICE OF THE PROVOST MARSHAL GENERAL

WASHINGTON

December 8, 1941.

Aliens Division
PMG 014.311-General.

MEMORANDUM for The Adjutant General.

Subject: Initiation of Internment Program.

The Secretary of War directs that the radiogram hereafter set forth be dispatched to the Commanding General, United States Armed Forces in the Far East, Commanding General, Hawaiian Department, and the Commanding General, Carribean Defense Command:

SECOND PRESIDENTIAL PROCLAMATION DATED DECEMBER EIGHTH

CLASSIFIES GERMAN AND ITALIAN ALIENS AS ALIEN ENEMIES STOP

SECRETARY OF WAR DIRECTS IMMEDIATE APPREHENSION OF ALL GERMAN

AND ITALIAN ALIEN ENEMIES ON THE A COMMA B AND C LISTS STOP

INSTRUCTIONS ON HEARING PROCEDURES WILL FOLLOW END

GULLION
THE PROVOST MARSHAL GENERAL

For The Provost Marshal General:

Karl R. Bendetson,
Major, J.A.G.D.,
Chief, Aliens Division.

ACTION TAKEN
RADIOGRAM TO: CG U.S. ARM. FORCES. FAR. EAST
EHB/rtd ~~1712~~ 12/8/41

CONFIDENTIAL SECRET UNCLASSIFIED RESTRICTED

DOWNGRADED
ORDER SEC ARMY
BY TAG PER
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~~SECRET~~

FILE JAN 12 1942

(14-8-21) 110.3 Aliens

WAR DEPARTMENT
WAR DEPARTMENT GENERAL STAFF
SUPPLY DIVISION, G-4
WASHINGTON, D.C.

~~SECRET~~

G-4/32860

THRU OFFICE CHIEF OF STAFF

DEC 9 1941

MEMORANDUM FOR THE ADJUTANT GENERAL:

Subject: Construction of Facilities for the Internment of Alien Enemies and other Prisoners of War.

The Secretary of War directs:

I. That an immediate action letter substantially as follows be directed to The Quartermaster General, the Commanding Generals, all Corps Areas, Overseas Departments, Alaskan Defense Command, all Armies and the Commanding General, United States Army Forces in the Far East:

1. Reference 2nd Indorsement from The Adjutant General to The Quartermaster General dated May 21, 1941, Subject: "Disposition of Crews of foreign merchant vessels and other alien enemies in the event of war," file AG 014.311 (4-28-41)MC-D-M, construction of the facilities set forth in paragraph 2 below for the internment of alien enemies, in accordance with plans submitted by Corps Area and Overseas Department Commanders, is approved. Corps Area and Department Commanders will initiate construction at once and carry it to completion without delay.

2. The Quartermaster General will immediately make available to Corps Area and Overseas Department Commanders funds as indicated below, of a total amount of $952,947, from funds in an appropriated status and if necessary, include the amount expended for this purpose in the next available supplemental estimates: ~~This authority is granted with the understanding that if funds for the purpose are not appropriated by the Congress, the cost will be absorbed.~~

a. Commanding General, United States Forces in the Far East:

(1) For rehabilitation of Old Bilibid Prison, Manila, P.I., to accommodate 3,000 prisoners $ 5,000
For preparation of two detached buildings of New Bilibid Prison, Muntinlupa, P.I., to accommodate 400 prisoners - 5,000

CONFIDENTIAL SECRET UNCLASSIFIED RESTRICTED
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THRU OFFICE CHIEF OF STAFF

-1-

(3) Construction of internment facilities outside the Manila area for approximately 2,500 prisoners - $25,000

Total $35,000

b. Commanding General, Hawaiian Department:

(1) To supplement the facilities at the Immigration Station, Ala Moana Road, Honolulu, T.H. to accommodate 508 prisoners. $90,282
(2) To construct an alien enemy camp at Schofield Barracks to accommodate 1,000 prisoners $397,230

Total $487,512

c. Commanding General, Puerto Rican Department:

(1) To construct an alien enemy camp of tropical type Theatre of Operations construction at Fort Buchanan, to accommodate 300 prisoners, capable of expansion to 600 - $59,629

d. Commanding General, Panama Canal Department:

(1) For additions to Canal Zone Immigration Station - internment of 1,300 women and children $12,000
(2) For construction of internment camp for 1,000 males - Corozal, Canal Zone 60,000 200,000

Total $72,000

e. Commanding General, Western Defense Command for internment facilities in Alaska:

(1) For construction for 150 prisoners $60,000

f. Commanding General, First Corps Area:

(1) No construction authorized - Prisoners to be transferred to stockade at Camp Upton Fort Meade, Maryland.

SECRET UNCLASSIFIED CONFIDENTIAL RESTRICTED
DOWNGRADED ORDER SEC ARMY BY TAG PER 9 H 5

done 1-7-42

RAO 14, 311 (12-9-41)

g. Commanding General, Second Corps Area:

(1) Increase present stockade at Camp Upton to accommodate 1,000 prisoners - $18,400

h. Commanding General, Third Corps Area:

(1) To provide accommodations for 2,000 prisoners at Fort George G. Meade, Maryland $31,63[illegible]

i. Commanding General, Fourth Corps Area:

(1) For construction of tent camp and stockade with a capacity of 125 prisoners at Fort Oglethorpe, Ga. $ 2,42[illegible]

j. Commanding General, Fifth Corps Area:

(1) No construction authorized - Prisoners to be transferred to Camp McCoy, Wisconsin.

k. Commanding General, Sixth Corps Area:

(1) Present capacity of 760 prisoners of war considered sufficient. No additional construction authorized.

l. Commanding General, Seventh Corps Area:

(1) No construction authorized. Prisoners to be transferred to Camp McCoy, Wisc., ~~Fifth Corps Area,~~ or to Eighth Corps Area.

m. Commanding General, Eighth Corps Area:

(1) To provide temporary prisoner of war inclosures of 200 capacity each at Fort Bliss, Fort Sill and Fort Sam Houston. $39,94[illegible]

Commanding General, Ninth Corps Area:

(1) To provide temporary camps at the locations and with the capacities indicated below:

UNCLASSIFIED
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DOWNGRADED
UNDER SEC ARMY
BY TAG PER
9 H 5
June 1-16-42

~~SECRET~~

THRU OFFICE CHIEF OF STAFF

Post	Capacity	$
Ft. Lewis, Wash.	315	$ 14,000
CCC Camp, Griffith Park	500	32,400
Ft. Ord, East Garrison	1,000	100,000
	Total	$146,400

3. In order that temporary detention camps for alien enemies may be expeditiously constructed, The Quartermaster General will direct the field force to assist Corps Area and Overseas Department Commanders to establish these camps.

4. The Quartermaster General will initiate and carry to completion without delay the construction of an alien enemy camp at Florence Military Reservation, Florence, Arizona, with an initial capacity of 3,000 internees, capable of expansion to hold 6,000 internees, with an overhead of approximately 1,000. In this connection, your attention is directed to a letter of this office dated May 28, 1941, Subject: "Policy for the Construction of Major Alien Enemy Interment Camps," file AG 383.6 (5-24-41). The total cost of this construction, estimated at $4,800,000, will be borne by funds in an appropriated status, and if necessary, the amount expended for this purpose will be included in the next available supplemental estimates. ~~This authority is granted with the understanding that if funds for the purpose are not appropriated by the Congress, the cost will be absorbed.~~

II. That a Secret radio substantially as follows be dispatched to the Commanding General, U. S. Army Forces in the Far East:

REFERENCE YOUR SECRET LETTER TO THE ADJUTANT GENERAL DATED AUGUST TWENTY NINTH NINETEEN HUNDRED FORTY ONE SUBJECT DISPOSITION OF CREWS OF FOREIGN MERCHANT VESSELS AND OTHER ENEMY ALIENS IN THE EVENT OF WAR FILE AG NAUGHT ONE FOUR POINT THREE ONE ONE PAREN EIGHT DASH TWENTY NINE DASH FORTY ONE PAREN MC THE QUARTERMASTER GENERAL HAS THIS DATE BEEN DIRECTED TO ALLOT THE SUM OF THIRTY FIVE THOUSAND DOLLARS TO YOU FOR THE NECESSARY CONSTRUCTION PERIOD

SECRET UNCLASSIFIED RESTRICTED
AUTHORITY SEC ARMY
DOWNGRADED
BY THIS OFFICE
THRU OFFICE CHIEF OF STAFF
~~SECRET~~

done 1-16-42

SECRET

THRU OFFICE CHIEF OF ST

III. That a Secret radio substantially as follows be dispatched to the Commanding General, Hawaiian Department:

THE QUARTERMASTER GENERAL HAS THIS DATE BEEN DIRECTED TO ALLOT THE SUM OF FOUR HUNDRED EIGHTY SEVEN THOUSAND FIVE HUNDRED AND TWELVE DOLLARS TO YOU FOR CONSTRUCTION OF INTERNMENT CAMPS FOR ALIEN ENEMIES AS RECOMMENDED IN YOUR LETTER TO THE ADJUTANT GENERAL SUBJECT DISPOSITION OF CREWS OF FOREIGN MERCHANT VESSELS AND OTHER ALIEN ENEMIES IN THE EVENT OF WAR FILE NAUGHT ONE FOUR POINT THREE ONE ONE DATED JULY THIRD NINETEEN FORTY ONE PERIOD

IV. That a Secret radio substantially as follows be dispatched to the Commanding General, Puerto Rican Department:

REFERENCE YOUR LETTER TO THE ADJUTANT GENERAL DATED AUGUST FIFTEENTH NINETEEN FORTY ONE SUBJECT DISPOSITION OF CREWS OF FOREIGN MERCHANT VESSELS AND OTHER ALIEN ENEMIES IN THE EVENT OF WAR COMMA IT IS DIRECTED PLAN FOR CONSTRUCTION OF INTERNMENT CAMP BE REVISED TO UTILIZE TROPICAL THEATRE OF OPERATION TYPE CONSTRUCTION IN LIEU OF STANDARD MOBILIZATION TYPE CONSTRUCTION PERIOD THE PLAN AS THUS MODIFIED IS APPROVED FOR IMMEDIATE ACCOMPLISHMENT PERIOD THE QUARTERMASTER GENERAL HAS THIS DATE BEEN DIRECTED TO ALLOT THE SUM OF FIFTY NINE THOUSAND TWO HUNDRED SIXTY NINE DOLLARS TO YOU FOR THIS PURPOSE PERIOD

CONFIDENTIAL SECRET UNCLASSIFIED RESTRICTED
REGRADED
ORDER SEC ARMY
BY TAG PER
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-5-

THRU OFFICE CHIEF OF STAFF

SECRET

1-16-42

THRU OFFICE CHIEF OF STAFF

V. That a Secret radio substantially as follows be dispatched to the Commanding General, Panama Canal Department:

REFERENCE FIRST INDORSEMENT HEADQUARTERS PANAMA CANAL DEPARTMENT DATED SEPTEMBER TWENTY NINTH NINETEEN FORTY ONE TO THE ADJUTANT GENERAL SUBJECT DISPOSITION OF CREWS OF FOREIGN MERCHANT VESSELS AND OTHER ALIEN ENEMIES IN THE EVENT OF WAR FILE AG NAUGHT ONE FOUR POINT THREE ONE FOUR PAREN C PAREN COMMA CONSTRUCTION OF INTERNMENT CAMP AT COROZAL AND EXPANSION OF PANAMA CANAL QUARANTINE STATION FOR INTERNMENT OF WOMEN AND CHILDREN APPROVED PERIOD THE QUARTERMASTER GENERAL HAS BEEN DIRECTED TO ALLOT THE SUM OF SEVENTY TWO THOUSAND DOLLARS TO YOU FOR THIS CONSTRUCTION PERIOD THIS CONSTRUCTION WILL BE INITIATED AND CARRIED TO COMPLETION WITHOUT DELAY PERIOD

VI. That a Secret radio substantially as follows be dispatched to the Commanding General, Western Defense Command:

REFERENCE SECRET RADIO NUMBER ONE HUNDRED FIFTY FROM THE COMMANDING GENERAL ALASKAN DEFENSE COMMAND DATED OCTOBER TWENTIETH NINETEEN FORTY ONE TO THE ADJUTANT GENERAL FILE AG NAUGHT ONE FOUR POINT THREE ONE ONE PAREN TEN DASH TWENTY DASH FORTY ONE PAREN MC REPORTING THE SUM OF SIXTY THOUSAND DOLLARS REQUIRED FOR CONSTRUCTION OF FACILITIES FOR INTERNMENT OF ALIEN ENEMIES IN ALASKA PERIOD THE QUARTERMASTER GENERAL HAS BEEN DIRECTED TO ALLOT THE SUM OF SIXTY THOUSAND DOLLARS TO YOU FOR THIS CONSTRUCTION PERIOD IT IS DESIRED THE CONSTRUCTION BE INITIATED AND CARRIED TO COMPLETION WITHOUT DELAY PERIOD

CONFIDENTIAL SECRET UNCLASSIFIED DECLASSIFIED REGRADED UNDER SEC. ARMY BY TAG PER 9 H 5

THRU OFFICE CHIEF OF STAFF

dmm 1.16.42

SECRET

THRU OFFICE CHIEF OF STAFF

VII. Advise the Chiefs of Branches and Services and all other interested War Department Agencies of the action taken.

VIII. Concurrences.

A. C. of S., G-1 ( )
The Provost Marshal General ( )

45 A G O
DEC 15 1941
Received

BREHON SOMERVELL,
Brigadier General,
Assistant Chief of Staff.

DEC 9 1941
21227-34

WAR DEPARTMENT
OFFICE OF CHIEF OF STAFF

CONFIDENTIAL SECRET UNCLASSIFIED RESTRICTED

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BY TAG PER
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THRU OFFICE CHIEF OF STAFF

done 1-16-42

CONFIDENTIAL

WD 014.311 (12-5-41)MC-

Aliens Division
P.C. 334.3

The Honorable,

The Attorney General.

Dear Mr. Attorney General:

This will confirm the substance of an agreement informally reached between the Department of Justice and the War Department, December 1, 1941, with respect to the War Department's responsibility for the custody, in continental United States, of alien enemies, the necessity for whose permanent internment has been determined by your Department.

You have communicated your complete concurrence in the view that this responsibility should be the War Department's. The Joint Agreement executed July 18, 1941, between the Department of Justice and this Department provides that the Joint Committee appointed pursuant to its terms will develop plans for relieving the War Department, in continental United States, of the custody and control of alien enemies to the fullest extent practicable. The substance of our agreement is that the relief of the War Department from this responsibility has been considered by the Joint Committee and has finally been concluded to be impracticable.

DEC 13 1941

DISPATCHED Sincerely yours,

DEC 13 1941

FROM A. G. O.

Secretary of War.

OUT

CLOSED

SECRET CONFIDENTIAL RESTRICTED UNCLASSIFIED
DOWNGRADED UNDER SEC ARMY LTR TAG PER 9 H 5

Copy for The Adjutant General.

CONFIDENTIAL

Ltr. 1-16-42

011/1227-37

WD 014.311 (1-20-42)MSC

RPM/ihw-1705

The Honorable,

The Attorney General.

Dear Mr. Attorney General:

By letter of December 12, 1941, I confirmed the substance of an agreement informally reached between the Department of Justice and the War Department, December 1, 1941, with respect to the War Department's responsibility for the custody, in Continental United States, of alien enemies, the necessity for whose permanent internment has been determined by your Department. It was further stated that there had been complete concurrence in the view that the responsibility should be the War Department's for the duration of the present hostilities.

As no reply has been received to the letter of December 12, 1941, it is assumed by the War Department that the question of responsibility has been satisfactorily adjusted as indicated above.

Sincerely yours,

Secretary of War.

COPY TO: The Provost Marshal General, ref. his memo, Aliens Division PMG 014.311-General, 1-20-42, for TAG.

FILED JAN 23 1942

BASED ON: Memo fm TPMG, Aliens Div., PMG 014.311-General, 1-20-42, for TAG.

COMPARED: ihw/gc

SECRET

Hq. 9th. C. Area

AG 014.311(12-9-41)MC-D-M

December 12, 1941

SUBJECT: Construction of facilities for the internment of alien enemies and other prisoners of war.

TO: The Adjutant General, Washington, D.C.

1. Reference is made to War Department Secret Letter dated December 15, 1941, file as above, which directs immediate initiation of construction of internment facilities; the following being indicated for the Ninth Corps Area:

Fort Lewis, Wash.	Capacity 315	$14,000
CCC Camp, Griffith Park	" 500	32,400
Ft. Ord, East Garrison	" 1000	100,000
		$146,400

2. Facilities are now complete and available for the internment of 500 aliens on Angel Island in San Francisco Bay Area.

3. The District Engineer, San Francisco, yesterday initiated construction of the camp at Fort Lewis, Washington, for a capacity of 315.

4. Facilities are complete and available at Griffith Park, Los Angeles, California, for a capacity of 150 aliens and 50 guards. Additional capacity to 500 can be obtained quickly by erection of tents, frames, and floors, within the inclosure, but it is recommended that such increase be held in abeyance until inititated by this Headquarters, when required.

5. It is recommended that construction of internment facilities at Fort Ord, East Garrison, for 1000 aliens, be held in abeyance, due to use of this East Garrison Camp by field forces.

6. Request that such amount of the above funds as is not expended remain available to the Ninth Corps Area Commander for construction of facilities for the internment of alien enemies and other prisoners of war in the Communications Zone, as may be necessary.

For the Commanding General:

27 A G O

DEC 29 1941

Received

H. M. BELL
Major, A.G.D.
Assistant Adjutant General

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SECRET RESTRICTED CONFIDENTIAL
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ORDER SEC ARMY
BY TAG PER
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AG 014.311 (12-22-41)MSC RPM/fm-1705

War Department, A.G.O., December 30, 1941. To: G-4

FILE DEC 30 1941

SECRET

496 WVY

RADIOGRAM

0-4-C

11/943P TIME FILED

Received at the War Department Message Center
Room 3441 Munitions Bldg., Washington, D. C.

PRIORITY

DECEMBER 12, 1941

540 A. M.

From HQ 4TH ARMY PSFO

SECRET

To ADJUTANT GENERAL

Copies furnished as noted:

DEC 12 1941

A.G.O.

NO. 50 ELEVENTH.

IT IS HIGHLY INADVISABLE THAT INTERNED ENEMY ALIENS OR SYMPATHIZERS BE MAINTAINED ON THE PACIFIC COAST STOP UPON BEINGTAKEN INTO CUSTODY THEY SHOULD BE SENT PROMPTLY TO INTERIOR POINTS BEYOND THE NINTH CA STOP STRONGLY URGE AND RECOMMEND SUCH MODIFICATION OF PRESENT POLICIES AS WILL ACCOMPLISH THIS AND ALSO RELIEVE MILITARY FORCES OF THE WEST DEF COMMAND OF RESPONSIBILITIES FOR THE CUSTODY COMMA TRANSPORTING OR DETENTION OF ENEMY ALIENS AND SYMPATHIZERS

DEWITT COMDG

4 A. G. O.
DEC 12 1941
RECEIVED

EXACT ACTION COPY TO: The Provost Marshal General, Cy No. 1.

EXACT INFORMATION COPY TO: Secretary, General Staff, Copy No. 2.
A.C. of S., G-2, Copy No. 3.

REGRADED CONFIDENTIAL. PARAPHRASED VERSIONS REGRADED UNCLASSIFIED ORDER SEC ARMY BY TAG/9H-5

DECLASSIFIED
DOD Dir. 5200.9, Sept. 27, 1958
NNW by ___ date 2/10/76

DEC 14 1941

Action Copy

BEDFORD-PATD.—AMERICAN SALES BOOK CO., INC., NIAGARA FALLS, N.Y.

aab 7-42

Rec'd 10

SECRET

WAR DEPARTMENT

OFFICE OF THE PROVOST MARSHAL GENERAL

WASHINGTON

December 13, 1941.

PMG 014.311

MEMORANDUM for The Adjutant General.

Subject: Evacuation of detained alien enemies from West Coastal Frontier.

1. Please transmit the following secret radiogram to the Commanding General, Western Defense Command:

REURAD SECRET NUMBER FIFTY ELEVENTH DATED DECEMBER TWELFTH NINETEEN HUNDRED FORTYONE AND TELEPHONE CONVERSATION BETWEEN YOU/GENERAL BENEDICT AND THE PROVOST MARSHAL GENERAL DEPARTMENT OF JUSTICE PLANS TO TRANSFER ALIEN ENEMIES ON A AND B LISTS FROM WEST COASTAL FRONTIER TO FORTS LINCOLN AND MISSOULA STOP SECRETARY OF WAR DIRECTS THAT YOU FURNISH SUCH ASSISTANCE INCLUDING GUARDS FOR THE TRANSFER AS MAY BE REQUESTED BY REPRESENTATIVES OF JUSTICE

GULLION
THE PROVOST MARSHAL GENERAL

DEC 13 1941

2. Reference 1st Indorsement from this office to you (014.311 9th Corps Area December 12, 1941) to the secret radiogram cited in the body of the above message, this represents the completed necessary action respecting General DeWitt's request for evacuations.

3. Please transmit paraphrased information copies of the secret radiogram to the Secretary, General Staff.

Ltr. 1-12

ACTION TAKEN: 12/13/41, by radio to CG, West. Def. CMD. EHB/bjs-1712.

ACTION TAKEN: Para. cys of radio to Secretary, General Staff and TPMG HJP/ehb 17-12(12-17-41)

Allen W. Gullion,
Major General,
Provost Marshal General.

UNCLASSIFIED RESTRICTED CONFIDENTIAL SECRET

REGRADED UNDER SEC ARMY BY TAG PER 9 H 5

FILE JAN 26 1942

Ltr 1-12-42

SECRET

Aliens Division
PMG 014.311 (Ninth C.A.) 1st Ind.

War Department, O.P.M.G., December 23,1941. TO: Commanding General, Field Forces, General Headquarters, United States Army.

1. I concur in the recommendation of the Commanding General, Western Defense Command that prisoners of war and alien enemies be held in that theater on a temporary basis only, pending their movement to the interior. In this connection on December 12 and 13, 1941, I arranged with the Attorney General through the Secretary of War for the evacuation of all Class A and B alien enemies then in detention in that theater, to points distant from the Pacific Coastal Frontier. Accordingly, on December 18, 1941, the Department of Justice reported that the prearranged evacuation had been completed. Japanese and Italian alien enemies having been removed to Fort Missoula, Montana and German aliens having been removed to Fort Lincoln, North Dakota.

2. The War Department has agreed to accept the custody of prisoners of war from the Navy. It is probable that military authorities will be called upon to accept the custody of naval war prisoners at points along the Pacific Coast. I therefore recommend that the facilities at Griffith Park in the Los Angeles area, originally proposed to accomodate a total of 500 be expanded from its present capacity of 150, and I support the recommendation of the theater commander that authorized construction at Fort Lewis be completed without delay. In view of the foregoing the proposed construction authorized at the East Garrison, Fort Ord. California should be abandoned for the present and substitute facilities arranged for immediate completion in the interior. This office will initiate the necessary action to provide the alternate facilities.

3. Accordingly I recommend that the Commanding General, Western Defense Command be advised that his recommendation regarding the construction of internment facilities on the Pacific Coastal Frontier is approved, subject to the modification that the facilities at Griffith Park in the Los Angeles area be expanded to accommodate 500 and that the 3 Pacific Coast Stockades, viz., Griffith Park, Angel Island and Fort Lewis be used only for the purpose of providing temporary detention facilities for prisoners of war captured by the Navy and delivered by it to military custody and where necessary for the accommodation of alien enemies interned, pending their removal to the interior.

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BY TAG PER
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/s/ ALLEN W. GULLION
Major General, U. S. A.,
The Provost Marshal General.

SECRET

WAR DEPARTMENT GENERAL STAFF
DISPOSITION FORM

AG 014.311 (12-22-41)
OB- 4/32860

SUBJECT: Construction of facilities for the internment of alien enemies & other prisoners of war. Date JAN 2 1942

TO:

___C/S	___G-1	___G-2	___G-3	___G-4	___Air Staff	
X TAG	___WPD	___USW	___ASW	___ASWA	___CG	_____Army
___AC	___BLP	___BOWD	___ExRA	___NGB	___CG	_____Army Corps
___INF	___FA	___CAV	___CA	___ENGR(2)	I CG	Ninth CA
___ORD	___QMG	___CSO	___SG	___FIN	___CG	_____Dept.
II GHQ	___JAG	___CWS	___IG	___B/PR (1)	I CG	Western Defense Command
II Provost Marshal General						

FOR:

X S/W directs	___Comment or concurrence	___Necessary action
___Draft of reply	___Remark and recommendation	___Information for reply
___Direct reply	___Inviting attention to	___ _____Ind. approved
___Approved	___See notation of _____	___Primary interest
___Disapproved	___Information SECRET	___Notation and return
___File	___Consult _____	Noted_____

By: ___Spcl Msgr | ___Radio | ___Air Mail | ___Immed Action Ltr | ___Letter | I Ind.

I. 1. The recommendation contained in paragraph 5 and the request contained in paragraph 6, basic communication, are approved.

II. Advise of action taken.

Concurrence:
A.C. of S., G-1 (NHH) 1/2

BREHON SOMERVELL,
Brigadier General,
Assistant Chief of Staff.

Incl.
Ltr fm Hq. 9th CA, 12/22/41,

4 A. G. O.
JAN 4 1942

DON C. FAITH
Col., General Staff.
Asst. Executive

(14-22-41) 311

RECORD:
Approving recommendation of CG, Ninth CA, to hold in abeyance construction of 1,000 capacity internment facilities directed by G-4/32860, December 12, 1941, and approving request that the $100,000 allotted for this project remain available to CG, Ninth CA for construction of necessary enemy alien internment facilities in Communications Zone.

ACTION TAKEN by 1st Ind., 1-5-42, to CG,WDC & CG,9thCA, IN TURN. Cys furn CG,Field Forces & PRovost Marshal General. JMH/fdp-1705

JAN 4 '42 PM

RECEIVED MISC. DIV., AGO, S. & C. Section

UNCLASSIFIED SECRET RESTRICTED CONFIDENTIAL
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ORDER SEC ARMY
BY TAG PER
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FILE JAN 5

THE ADJUTANT GENERAL

Done 1-8-42

014.311-8th CA-D 2nd Ind.

GENERAL HEADQUARTERS, U. S. ARMY, Army War College, Washington, D. C., January 5, 1942. TO: The Adjutant General, Washington, D. C.

1. It is recommended that construction for the internment of enemy aliens and other prisoners as set forth in paragraph 3 1 A.G.O. letter 014.311, dated December 15, 1941, be expedited with the exception of facilities indicated for Fort Ord, California.

2. It is further recommended that no internment facilities be constructed at East Garrison, Fort Ord, California and that the sum of $100,000 authorized for this construction be retained under Corps Area control for other construction of like nature as may be required at a later date.

3. This Headquarters concurs in the recommendation of the Commanding General, Western Defense Command, and Provost Marshall General, that the internment facilities at Fort Lewis, Washington, (capacity 315) when completed, and Griffith Park, Los Angeles, California, (capacity 500) when completed, and the existing facilities as reported by Western Defense Command accommodating 500 at Angel Island, California, should be used only for the purpose of providing temporary detention facilities for all prisoners of war and alien enemies, including those captured by the Navy and delivered by it to military custody pending their removal to the interior.

For the COMMANDING GENERAL:

CLYDE L. HYSSONG,
Lt. Col., A.G.D.,
Adjutant General.

4 A. G. O.
JAN 7 1942
[illegible]

W-D MISC. DIV., AGO.
S. & C Section

AG 014.311 (12-18-41)MSC RPM/em - 1705.

War Department, A.G.O. January 8, 1942 To: G-4

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FILE JAN 9 1942

1-10-42

WAR DEPARTMENT GENERAL STAFF
DISPOSITION FORM

AG 014.311 (12-18-41)
G- 4/32860

~~SECRET~~

SUBJECT: Enemy Alien Internment Camps, Ninth Corps Area. Date JAN 12 1942

TO:	___C/S	___G-1	___G-2	___G-3	___G-4	___Air Staff	
	___TAG	___WPD	___USW	___ASW	___ASWA	___CG	_____Army
	___AC	___BLP	___BOWD	___ExRA	___NGB	___CG	_____Army Corps
	___INF	___FA	___CAV	___CA	___ENGR	___CG	_____CA
	___ORD	___QMG	___CSO	___SG	___FIN	___CG	_____Dept.
	___GHQ	___JAG	___CWS	___IG	___B/PR	X Provost Marshal General	

FOR:	X S/W directs	___Comment or concurrence	___Necessary action
	___Draft of reply	___Remark and recommendation	___Information for reply
	___Direct reply	___Inviting attention to	___ _____Ind. approved
	___Approved	___See notation of_____	___Primary interest
	___Disapproved	___Information	___Notation and return
	___File	___Consult_____	Noted_____

By:	___Spcl Msgr	___Radio	___Air Mail	___Immed Action Ltr	___Letter

X. For remark and recommendation. In this connection, G-4 action dated January 2, 1942, approved recommendation of Commanding General, Ninth Corps Area, to hold in abeyance construction of the Fort Ord internment camp, and granted authority to Commanding General, Ninth Corps Area, to retain the $100,000 authorized for Fort Ord construction, and to utilize these funds as necessary for other prisoner of war construction. This office has been informally advised that the construction at Angel Island, Fort Lewis and Griffith Park is being expedited.

BREHON SOMERVELL,
Brigadier General,
Assistant Chief of Staff.

[signature]
Col., General Staff,
Chief, Planning & Estimates Section

Incls.
Radio fm CG, WDC, 12/18/41,
w/2 inds.

UNCLASSIFIED
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CONFIDENTIAL
RESTRICTED
REGRADED
ORDER SEC ARMY
BY TAG PER
9 H 5

~~SECRET~~

Copy for TPMG

1-19-42

X 8 2
5

~~SECRET~~

January 16, 1942

Aliens Division
PMG 014.311-9th C.A.

MEMORANDUM for the Assistant Chief of Staff, G-4

Subject: Alternate Temporary Enemy Alien Internment Camp.

1. There was referred to this office for remark and recommendation disposition form AG 014.311 (12-18-41) G 4/32860, Subject: Enemy Alien Internment Camps, Ninth Corps Area, dated January 12, 1942.

2. It is desired by the Commanding General, 9th Corps Area, to have no internment within the 9th Corps Area, and that such facilities as are now provided at Angel Island, Fort Lewis and Griffith Park be in the nature of internee initial concentration points or prisoner of war processing stations, the internees who pass through them to be immediately evacuated to the zone of the interior. It is therefore recommended that the $100,000 authorized for construction at Fort Ord be re-allotted for the purposes specified in paragraph 3, such sum to be augmented if necessary.

3. It is recommended that in lieu of the Fort Ord temporary facilities, the Oklahoma State Prison Farm, located at Stringtown, Oklahoma, be acquired by lease and expanded to its maximum capacity of 1500, as recommended by the radio from the Commanding General, 8th Corps Area, under date of January 1, 1942, a copy of which is attached as Tab A.

For The Provost Marshal General:

Karl R. Bendetson,
Major, J.A.G.D.,
Chief, Aliens Division.

2 Incls.
Disp'n Form G 4/32860, 1-12-42
~~Tab A~~

UNCLASSIFIED
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CONFIDENTIAL
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ORDER SEC ARMY
BY TAG PER 1-12-42
9 A 5
~~SECRET~~

Accompanying copy

mlp
2-18-42

WAR DEPARTMENT GENERAL STAFF
DISPOSITION FORM

AG
G-4/32860
SUBJECT: **Alternate Temporary Enemy Alien Interment Camp.** Date JAN 20 1942

TO:	___C/S	___G-1	___G-2	___G-3	___G-4	___CG	_____Army
	___TAG	___WPD	___USW	___ASW	___ASWA	___CG	_____Army Corps
	___AC	___BLP	___BOWD	___ExRA	___NGB	___CG	_____CA
	___INF	___FA	___CAV	___CAC	X - I ENGR	___CG	_____Dept
	___ORD	___QMG	___CSO	___SG	___FIN	-----------	
	___GHQ	___JAG	___CWS	___IG	___B/PR	-----------	
FOR:	___S/W directs		___Comment or concurrence			___Necessary action	
	___Draft of reply		I. Remark and recommendation			___Information for reply	
	___Direct reply		___Inviting attention to			___ _____Ind. approved	
	___Approved		___See notation of _____			___Primary interest	
	___Disapproved		___Information			___Notation and return	
	___File		___Consult _____			Noted _____	
By:	___Spcl Msgr	___Radio	___Air Mail	___Immed Action Ltr	___Letter	-----------	

BREHON SOMERVELL
Brigadier General
Assistant Chief of Staff

C
Lt. Col., General Staff,
Chief, Planning & Estimates Section

Incl.
Memo.fm.O/PMG 1-16-42
w. 2/incls.

RECORD

Requesting remark and recommendation of Chief of Engineers on request of Provost Marshal General to acquire by lease the Oklahoma State Prison Farm, Stringtown, Oklahoma, and to expand it to a capacity of 1500 for use as an enemy alien internment camp.

UNCLASSIFIED
SECRET CONFIDENTIAL RESTRICTED
COPY FOR CHIEF OF ENGINEERS
REGRADED
ORDER SEC ARMY
BY TAG PER
941

1/18/42

WAR DEPARTMENT GENERAL STAFF
DISPOSITION FORM

AG
G- 4/32860

SUBJECT: Alternate Temporary Enemy Alien Internment Camp

Date FEB 4 1942

TO:	___C/S	X G-1	___G-2	___G-3	___G-4	___Air Staff
	___TAG	___WPD	___USW	___ASW	___ASWA	___CG _____Arm
	___AC	___BLP	___BOWD	___ExRA	___NGB	___CG _____Army Corp
	___INF	___FA	___CAV	___CA	___ENGR	___CG _____CA
	___ORD	___QMG	___CSO	___SG	___FIN	___CG _____Dept
	___GHQ	___JAG	___CWS	___IG	___B/PR	_____

FOR:	___S/W directs	___Comment or concurrence	___Necessary action
	___Draft of reply	___Remark and recommendation	___Information for repl
	___Direct reply	___Inviting attention to	___Ind. approved
	___Approved	___See notation of_____	___Primary interest
	___Disapproved	___Information	___Notation and return
	___File	___Consult_____	Noted_____

SECRET

By: ___Spcl Msgr | ___Radio | ___Air Mail | ___Immed Action Ltr | ___Letter | _____

X. 1. This communication is referred to you as a matter of primary interest with reference to recommendation contained in paragraph 3, 2nd Indorsement.

2. Attention is invited to G-4/32860, January 12, 1942, enclosed herewith.

3. Additional temporary internment facilities have been provided as follows:

Fort Bliss, to accommodate a total of 900
Fort Sam Houston, to accommodate a total of 900
Fort Sill, to accommodate a total of 600

4. G-4/32860, February 4, 1942, now being processed, provides the additional facilities at Stringtown, Oklahoma, recommended by The Provost Marshal General in his memorandum of January 16, 1942 (attached).

BREHON SOMERVELL,
Brigadier General,
Assistant Chief of Staff.

Incls.
G-4/32860, DS to Eng.,
1-20-42, with incls.

F. S. Strong, Jr.
Colonel, Quartermaster Corps,
Chief, Construction & Real Estate Branch

UNCLASSIFIED
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ORDER SEC ARMY
BY TAG PER
9 H 5 (See next page)
CONFIDENTIAL

OUT-G-4 FEB 4 1942

REC'D - G-1 FEB 5 - 1942

mlp 2.5.42 Copy for A.C. of S., G-1

1-51 52-11

WAR DEPARTMENT GENERAL STAFF
DISPOSITION FORM
Personnel Division, G-1

AG 014.311 (12-18-41)
G-1/15182-11
SUBJECT: Alternate Temporary Enemy Alien Internment Camp.

Date February 6, 1942.

TO:	___C/S	___G-1	___G-2	___G-3	___G-4	___Air Staff	
	XX TAG	___WPD	___USW	___ASW	___ASWA	___CG _____	Army
	___AC	___BLP	___BOWD	___ExRA	___NGB	___CG _____	Army Corps
	___INF	___FA	___CAV	___CAC	___ENGR	___CG _____	CA
	___ORD	___QMG	___CSO	___SG	___FIN	___CG _____	Dept.
	___GHQ	___JAG	___CWS	___IG	___B/PR	-----	

FOR:	XX S/W directs	___Comment or concurrence	___Necessary action
	___Draft of reply	___Remark and recommendation	___Information for reply
	___Direct reply	___Inviting attention to	___ _____ Ind. approved
	___Approved	___See notation of _____	___Primary interest
	___Disapproved	___Information	___Notation and return
	___File	___Consult _____	Noted _____

By:	___Spcl Msgr	___Radio	___Air Mail	___Immed Action Ltr	___Letter

That the Commanding General, Western Defense Command, be informed by secret indorsement substantially as follows:

1. The construction for the internment of enemy aliens and other prisoners mentioned in paragraph 1, 2d Indorsement, has been completed with the exception of that at Fort Ord. The plans for construction at Fort Ord have been cancelled.

2. ~~Letter~~ A.G. 014.311 (12-22-41) subject: Construction of facilities for internment of alien enemies and other prisoners of war, ~~dated January 5, 1942~~, authorized the Commanding General, Ninth Corps Area, to retain the $100,000 mentioned in paragraph 2 of the 2d Indorsement.

3. Prisoners of war and alien enemies will be held temporarily in detention camps mentioned in paragraph 3 of the 2d Indorsement pending movement to the interior. All prisoners and internees will be moved to the interior as rapidly as facilities become available.

G-4 (Col. Pierson) and The Provost Marshal General (Col. Bendetson) concur.

84 AGO
FEB 6 1942
Rec'd Back

FEB 6 '42 PM

For the Assistant Chief of Staff, G-1:

ROBERT W. BERRY
Lt. Col., G.S.C.
Assistant Executive

Incls.
G-4/32860 DF to G-1, 2-4-42, w/incls.

ACTION TAKEN: By 3rd Ind., to CG,WDC, w/cys to CG,FF; TPMG;ACofS,G-4. MNE/ved-1705. 2-7-42.

UNCLASSIFIED SECRET RESTRICTED CONFIDENTIAL
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ORDER SEC ARMY
BY TAG PER
RECEIVED MISC DIV AGO
Section

FILED FEB 1942

2-18-42

~~SECRET~~

SUBJECT: Alternate Temporary Enemy Alien Internment Camp.

AG 014.311 (12-18-41)MSC-A 3rd Ind. MNE/ved-1705.

War Department, A.G.O., February 7, 1942. - To: Commanding General, Western Defense Command.

1. The construction for the internment of enemy aliens and other prisoners mentioned in paragraph 1, preceding 2nd Indorsement, has been completed with the exception of that at Fort Ord. The plans for construction at Fort Ord have been cancelled.

2. 1st Indorsement, this office, January 5, 1942, AG 014.311 (12-22-41)MSC-D, subject: Construction of facilities for internment of alien enemies and other prisoners of war, authorized the Commanding General, Ninth Corps Area, to retain the $100,000 mentioned in paragraph 2 of the 2nd Indorsement.

3. Prisoners of war and alien enemies will be held temporarily in detention camps mentioned in paragraph 3 of the 2nd Indorsement pending movement to the interior. All prisoners and internees will be moved to the interior as rapidly as facilities become available.

By order of the Secretary of War:

E.S. Adams

Adjutant General.
Reg. No. 931225, 2-8-42

DISPATCHED

FEB 8 1942

FROM A. G. O.

COPIES TO: Commanding General, Field Forces
re his 2nd Ind 1-5-42 014.311-9th CA-D.
The Provost Marshal General re his
memo 1-16-42 Aliens Division PMG
014.311 (Ninth C.A.)
A. C. of S., G-4 re his Disp Form G-4/32860
2-4-42, to G-1.

BASED ON: G-1/15182-11 February 6, 1942
COMPARED: ved/kh

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ORDER SEC ARMY
BY TAG PER
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~~SECRET~~

IMMEDIATE ACTION

~~SECRET~~

WAR DEPARTMENT
The Adjutant General's Office
Washington

AG 014.311 (12-9-41)MC-D-M SECRET December 15, 1941.

SUBJECT: Construction of Facilities for the Internment of Alien Enemies and other Prisoners of War.

~~SECRET~~
Auth: T.A.G.
Initials R.G.H.
Date: 12-15-41.

TO: The Commanding General,
Western Defense Command.

(SEE DISTRIBUTION SHEET ATTACHED)

1. Inclosed for your information and guidance is copy of letter, this office, December 15, 1941, AG 014.311 (12-9-41)MC-D-M, subject and classification as above.

2. The allotment of $60,000 for internment facilities in Alaska is made, pursuant to recommendations submitted in secret radio No. 152, from the Commanding General, Alaskan Defense Command, to this office, October 29, 1941, which reported this sum as necessary for construction of internment of alien enemies in Alaska.

By order of the Secretary of War:

BASED ON: G-4/32860, Dec. 12, 1941.

COMPARED:

R. H. Hersey
Adjutant General.

1 Inclosure:
Cy. of ltr., 12-15-41,
to CGs, Corps Areas, Panama
Canal and Puerto Rican Dept., and
The Quartermaster General.

DISPATCHED

DEC 16 1941

FROM A. G. O.

COPIES FURNISHED:
The Chief of Staff, GHQ;
The Commanding Generals,
All Armies;
The Provost Marshal General;
The Chiefs of Arms and Services; and
The Divisions of the War Department
General Staff.

SECRET UNCLASSIFIED CONFIDENTIAL RESTRICTED
DOWNGRADED
ORDER SEC ARMY
BY TAG

~~SECRET~~

~~SECRET~~

IMMEDIATE ACTION

Done 1-16-42

~~SECRET~~

(14-1) FT/cb

014.31 December 19, 1941

Subject: Enemy Aliens

To : Commanding General, Field Forces, GHQ
Army War College
[redacted]

1. In view of the fact that the West Coast of the United States has now been designated and is functioning as an active Theatre of Operations, it is recommended that action be initiated at the earliest practicable date to collect all alien subjects fourteen years of age and over, of enemy nations and remove them to the Zone of the Interior.

2. It is also recommended that these individuals be held under restraint after removal from the Theatre of Operations in order to preclude their surreptitious return.

3. Records indicate that there are approximately 40,000 of such enemy aliens and it is believed that they constitute an immediate and potential menace to vital military measures of defense.

For the Commanding General:

[illegible]

ORDER SEC ... SSIFIED
... PER
...

~~SECRET~~

December 29, 1941

Dear Francis.

I have talked to the Provost Marshal General about the situation on the West Coast and he has shown me a copy of a telegram which he sent out to General De Witt on the 26th. I notice that in this telegram Gullion states that he has urged with "utmost force the necessity for empowering FBI to search any premises in which they have reasonable suspicion that an alien enemy is present for (with) any of such contraband articles and seize any found but Justice Department states that such an instruction to U.S. Attorneys and FBI Agents in Charge will be issued, if at all, not before the 48 hour period has elapsed." I gather the 48 hour period has already elapsed and, perhaps, some such instruction has been given. If so, I should think that all the authority necessary has already been delegated. I gather from General Gullion that if regulations along the lines suggested in this telegram are issued and acted upon, it would be satisfactory from the Army point of view.

From General De Witt's telephone conversation, I gather that he is after more than cameras and radios. I think he fears deposits of arms and ammunition.

Sincerely,

(SIGNED) JOHN J. McCLOY

The Honorable
Francis Biddle
Attorney General

OASW
JJMcC:JHS

WEST COAST

HEADQUARTERS WESTERN DEFENSE COMMAND AND FOURTH ARMY
PRESIDIO OF SAN FRANCISCO, CALIF.

OFFICE OF THE JUDGE ADVOCATE

December 21, 1941.

MEMORANDUM TO: G-2 , Re Regulation of Enemy Aliens.

1. Full power to restrain, regulate and remove all natives, citizens, denizens, or subjects of a hostile nation, over the age of 14 years and not naturalized is given to the executive by Sec. 4067, R.S., April 16, 1918, C.55, 40 Stat. 531.

There is, therefore, no question as to the existence of authority to take the contemplated action involving enemy aliens.

2. (a) The question as to whether the action should be taken by federal agencies or by state agencies involves the following considerations

(1) Fundamentally, dealings with enemy aliens in time of war is a function of the federal government.

(2) The States in the exercise of their police power may enact legislation to deal with enemy aliens as an incident to the public safety.

(3) The governor of a State, as such, is not subject to military law and may not be required to enforce Federal laws. His cooperation with the military commander on matters affecting the safety of persons and property within his State is to be expected, however.

(b) As a matter of policy it is believed that more expeditious and effective results would be obtained if the action were taken through federal instrumentalities. If the State authorities are found, upon consultation, to be willing to cooperate in the contemplated action however, there is no legal reason why that should not be done.

Lyle E. Cook

LYLE E. COOK,
Capt., JAGD.

2

SECRET

WAR DEPARTMENT

OFFICE OF THE PROVOST MARSHAL GENERAL

WASHINGTON

December 22, 1941

Aliens Division
PMG 014.311 (Western Defense Command)

MEMORANDUM for The Adjutant General.

SUBJECT: Dispatch of Secret Radiogram to Commanding General, Western Defense Command, re Surveillance Alien Enemies.

1. Please send the following secret radiogram:

COMMANDING GENERAL
WESTERN DEFENSE COMMAND

unable to identify-

SECRETARY OF WAR AND ATTORNEY GENERAL CONFERRED RE YOUR LETTER STOP SENIOR FBI MAN ON THE PACIFIC COAST IS BEING INSTRUCTED TO CONFER WITH GENERAL BENEDICT TO ARRANGE FOR MORE COMPLETE SURVEILLANCE TO INCLUDE THE USE OF LOCAL AUTHORITIES STOP IF FOLLOWING THAT CONFERENCE COMMA ASSURANCES ARE NOT SATISFACTORY COMMA PLEASE ADVISE THE PROVOST MARSHAL GENERAL

ADAMS

DEC [illegible] CDM For The Provost Marshal General:

L. F. Parmley,
Lieutenant Colonel, J.A.G.D.,
Executive.

47 A G O
DEC 22 1941
Received
10 30 PM

[illegible] A.G.O.
[illegible] SECTION

ACTION TAKEN: 12/22/41.
by radio to CG., WDC.
CDM/bjs-1712.

UNCLASSIFIED
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BY TAG PER
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SECRET

014.311 (12-22-41)

Encl 2-3-42

~~SECRET~~

RADIOGRAM

,014,31

NUMBER	TIME FILED	CHECK
709		

SEND THE FOLLOWING (RADIOGRAM: (RUSH _____
((PRIORITY _____
(TELEGRAM: (ROUTINE ROUTINE
CS

HEADQUARTERS WESTERN DEFENSE COMMAND AND FOURTH ARMY
PRESIDIO OF SAN FRANCISCO, CALIF.

December 23, 1941

THE ADJUTANT GENERAL
WAR DEPARTMENT WASHINGTON DC

SENT IN ~~SECRET~~ CODE

THIS HEADQUARTERS IS NOW HANDLING DOMESTIC INTELLIGENCE AND SUBVERSIVE ACTIVITIES STOP I HAD A SATISFACTORY CONFERENCE WITH ~~A~~ THE SENIOR FBI MAN IN THIS AREA DECEMBER 22 STOP FBI IS MOST COOPERATIVE AND IS PREPARED TO ACT HOWEVER THEY CAN NOT ACT UNTIL THE ATTORNEY GENERAL ISSUES THE NECESSARY INSTRUCTIONS TO IMPLEMENT THE PRESIDENTS PROCLAMATION OF DECEMBER 7 REFERRING TO THE JAPANESE STOP REQUEST THAT EVERY EFFORT BE MADE TO HAVE THE ATTORNEY GENERAL - issue - HIS INSTRUCTIONS WITHOUT DELAY

DEWITT
COMMANDING WDC & FOURTH ARMY

OFFICIAL:

CHA...
Lt.Col.,A.G...
Assistant Adjutant General

2 Copies to G-2,
Fourth Army

...ADED UNCLASSIFIED
ORDER SEC ARMY BY TAG PER 21 0806

~~SECRET~~

File

197A

December 24, 1941

MEMORANDUM FOR MR. IRVING [redacted]:

Dear Pflaum:

It occurs to me that you might make good use of this on certain short waves — if it is possible to tell the Japs that the Japanese in the United States are expressing to the President heartfelt and sincere appreciation for fair treatment being accorded them, etc.

x197

You are free to use this.

S.T.E.

GENERAL SERVICES ADMINISTRATION
National Archives and Records Service
FRANKLIN D. ROOSEVELT LIBRARY
HYDE PARK, N. Y.

Telegram to the President December 18, 1941
FROM: Japanese American citizens League by Saburo Kido, National President and Mike Masaoka, National Secretary.
RE: "We express to you and to the American people at large our heartfelt and sincere appreciation for the fair treatment which is beeing accorded us....."

x4675-Misc.

WA460
~~X23XX~~
1104P

0-4-C

SECRET

TELETYPE

Received at the War Department Message Center
Room 3441 Munitions Bldg., Washington, D. C.

DECEMBER 24, 1941

342A M.

10

From PRESIDIC OF SFRAN CALIF

To ADJUTANT GENERAL

Copies furnished as noted:

DEC 24 1941

RECEIVED MISC. DIV. A.G.O.

156 THIS HEADQUARTERS IS NOW HANDLING DOMESTIC INTELLEGENCE AND SUBVERIVE ACTIVITIES STOP I HAD A SATISFACTORY CONFERENCE WITH THE SENIOR FBI MAN IN THIS AREA DECEMBER TWENTY TWO STOP FBI IS MOST COOPERATIVE AND IS PREPARED TO ACT HOWEVER THEY CAN NOT ACT UNTIL THE ATTORNEY GENERAL ISSUES THE NECESSARY INSTRUCTIONS TO IMPLEMENT THE PRESIDENTS PROCLAMATION OF DECEMBER SEVEN REFERRING TO THE JAPANESE STOP REQUEST THAT EVERY EFFORT BE MADE TO HAVE THE ATTORNEY GENERAL ISSUE INSTRUCTIONS WITHOUT DELAY

DEWITT

A G O
DEC 24 1941
Received
6.18 9

EXACT ACTION COPY TO: The Provost Marshal General, Cy. #1

EXACT INFORMATION COPY TO: A. C. of S., G-2, Cy. #2

~~The mutine of an asset copy of this message
forbidden Our such extracts as are absolutely
necessary will be made and marked "SECRET". This
copy will be safeguarded with the greatest care and will be
returned to The Adjutant General without delay.~~

Action Copy

REGRADED ~~CONFIDENTIAL~~. PARAPHRASED VERSIONS REGRADED UNCLASSIFIED ORDER SEC ARMY BY TAG/9H-5

DECLASSIFIED
DOD Dir. 5200.9 Sept. 27, 1958
NMW by ___ date 6/10/69

FILE JAN -3 1942

W.D.-Destroy by burning EHP-el-1703

(CH-47-71)

aal-7-42

BEDIFORM—PAT'D.—AMERICAN SALES BOOK CO., INC., NIAGARA FALLS, N.Y.

0:4,31
382

Signal Corps, United States Army

Received at

U. S. GOVERNMENT PRINTING OFFICE 3—9501

#901 H FIELD FORCES GHQ WASHINGTON D C DEC 25 1941 19
231P

C G WESTERN DEFENSE COMMAND
PRESIDIO OF SAN FRANCISCO CALIF

ATTORNEY GENERAL HAS BEEN APPROACHED AND THIS HEADQUARTERS
ADVISED THAT NECESSARY REGULATIONS NOW BEFORE HIM IN DRAFT
FORM AND BEING CONSIDERED WITH VIEW TO EARLY PROMULGATION
STOP YOUR RADIO NUMBER ONE FORTY THREE TWENTY TWO

MARSHALL GHQ

DECLASSIFIED UNCLASSIFIED
Sec ARMY BY TAG PER 210806
RECEIVED
DEC 25 1941
WESTERN DEFENSE COMMAND
AND FOURTH ARMY

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3

Signal Corps, United States Army

014.31
x382

Received at

RECEIVED IN [redacted] CODE

D. A. QUARTERMASTER PRINTING OFFICE 3—9501

#901 H FIELD FORCES GHQ WASHINGTON D C DEC 25 1941
231P

19

C G WESTERN DEFENSE COMMAND
PRESIDIO OF SAN FRANCISCO CALIF

ATTORNEY GENERAL HAS BEEN APPROACHED AND THIS HEADQUARTERS
ADVISED THAT NECESSARY REGULATIONS NOW BEFORE HIM IN DRAFT
FORM AND BEING CONSIDERED WITH VIEW TO EARLY PROMULGATION
STOP YOUR RADIO NUMBER ONE FORTY THREE TWENTY TWO

MARSHALL GHQ

RECEIVED
DEC 25 1941
WESTERN DEFENSE COMMAND
AND FOURTH ARMY

AUTHORIZED UNCLASSIFIED
UNDER SEC ARMY BY TAG PER 210 8-6

If reply to this message is made by radio or telegraph, please note on the face for the information of the

901.

5

[redacted] RECEIVED IN [redacted] CODE

WAR DEPARTMENT

OFFICE OF THE PROVOST MARSHAL GENERAL

WASHINGTON

December 25, 1941.

Aliens Division
PMGO 014.311 - Western Theatre

MEMORANDUM for The Adjutant General.

Subject: Alien Enemy Restrictive Regulations.

1. It is requested that the following radiogram be dispatched ~~to the Chief~~:

COMMANDING GENERAL
WESTERN DEFENSE COMMAND
PRESIDIO OF SAN FRANCISCO

THE PROVOST MARSHAL GENERAL ADVISES THAT THE ATTORNEY GENERAL HAS PROMISED THAT THE ISSUANCE OF THE FIRST OF A SERIES OF RESTRICTIVE REGULATIONS AND INSTRUCTIONS TO IMPLEMENT THE DECEMBER SEVENTH AND EIGHTH PROCLAMATIONS WILL BE ACCOMPLISHED ON DECEMBER TWENTY-SIXTH PERIOD THE DEPARTMENT OF JUSTICE HAS ALSO ASSURED THE WAR DEPARTMENT THAT FURTHER INSTRUCTIONS AND IMPLEMENTING REGULATIONS WILL FOLLOW PROMPTLY PERIOD THE PROVOST MARSHAL GENERAL IS MAINTAINING CONSTANT LIAISON WITH DEPARTMENT OF JUSTICE AND IS PRODDING IT TO ACT PROMPTLY PERIOD THE PROVOST MARSHAL GENERAL AND THE SECRETARY COMMA GENERAL STAFF DESIRE TO KNOW WHETHER YOU RECOMMEND THAT THE SECRETARY OF WAR ASK THE PRESIDENT TO TRANSFER FROM THE ATTORNEY GENERAL TO THE SECRETARY OF WAR RESPONSIBILITY AND AUTHORITY FOR THE CONTROL OF ALIEN ENEMIES IN THE THEATRES OF OPERATION WITH A VIEW TO THE DELEGATION OF SUCH AUTHORITY TO THEATRE COMMANDERS PERIOD SUCH ACTION WOULD PLACE YOUR THEATRE ON THE SAME BASIS AS ALASKA PERIOD UNDER SUCH AN ARRANGEMENT YOU COULD OF COURSE REQUIRE THE SERVICES OF OTHER FEDERAL AGENCIES PERIOD IT IS DESIRED THAT YOU SUBMIT ANY RECOMMENDATIONS YOU MAY HAVE IN THE PREMISES DIRECT TO THE PROVOST MARSHAL GENERAL AS SOON AS PRACTICABLE PERIOD

ADAMS

ACTION TAKEN: 12/25/41 by radio to CG., WDC. CDM - 1705

16 A. G. O.
DEC 25 1941
RECEIVED

Dispatched to A.G. by hand (Major Bendetson) 12/25/41 at 11:50 A.M. KRB

For the Provost Marshal General:

Karl R. Bendetson,
Major, U.S.A.,
Chief, Aliens Section.

REGRADED UNCLASSIFIED
SECRET ORDER SEC ARMY RESTRICTED
BY TAG PER
CONFIDENTIAL 9 H 5

FILE

December 26, 1941

Memorandum for The Army Message Center, War Department.

Subject: Transmission of ~~Secret~~ Radiogram to C.G. W.D.C.
re issuance of implementing regulations by Attorney General

1. Please transmit the following ~~secret~~ radiogram:

COMMANDING GENERAL
WESTERN DEFENSE COMMAND
PRESIDIO OF SAN FRANCISCO

REFERENCE OUR TELEPHONE CONVERSATION TWENTY-SIX DECEMBER PERIOD ATTORNEY GENERAL'S OFFICE PROMISES DEFINITELY THAT IMPLEMENTING REGULATIONS AS TO RADIOS AND CAMERAS WILL BE TELEGRAPHED TO ALL US ATTORNEYS NOT LATER THAN NOON OUR TIME TWENTY SEVEN DECEMBER PERIOD SUCH REGULATIONS WILL PROVIDE IN SUBSTANCE THAT ANY ALIEN ENEMY WHO HAS IN HIS POSSESSION OR UNDER HIS CONTROL A RADIO RECEIVER CAPABLE OF SHORT WAVE RECEPTION OR ANY RADIO TRANSMITTING EQUIPMENT OR WHO HAS ANY PORTABLE CAMERA IN HIS POSSESSION OR UNDER HIS CONTROL MUST DEPOSIT SUCH WITH THE NEAREST LOCAL POLICE STATION AGENT IN CHARGE WITHIN 48 HOURS FROM THE HOUR OF PROMULGATION OF THE REGULATION PERIOD HAVE URGED WITH UTMOST FORCE THE NECESSITY FOR EMPOWERING FBI TO SEARCH ANY PREMISES IN WHICH THEY HAVE REASONABLE SUSPICION THAT AN ALIEN ENEMY IS PRESENT FOR ANY OF SUCH CONTRABAND ARTICLES AND SIEZE ANY FOUND BUT JUSTICE DEPARTMENT STATES THAT SUCH AN INSTRUCTION TO US ATTORNEYS AND FBI AGENTS IN CHARGE WILL BE ISSUED COMMA IF AT ALL COMMA NOT BEFORE THE FORTY EIGHT HOUR PERIOD HAS ELAPSED PERIOD I SUGGEST HOWEVER THAT FBI AGENTS COULD ACT IN THE ABSENCE OF SUCH INSTRUCTIONS IN ANY CASE WHERE THERE IS REASONABLE GROUND FOR SUSPICION THAT A RADIO TRANSMITTER IS BEING UNLAWFULLY OPERATED (ONLY A LICENSED PERSON MAY OPERATE A RADIO TRANSMITTER PERIOD FURTHERMORE US ATTORNEYS ARE NOW AUTHORIZED TO ISSUE WARRANTS FOR APPREHENSION OF ALIEN ENEMIES IN ANY CASE INVOLVING AN EMERGENCY WITHOUT A WARRANT FROM THE ATTORNEY GENERAL PERIOD IF AN OPERATING WIRELESS OR RADIO SIGNALLING STATION IS LOCATED WITHIN A CERTAIN AREA AND THERE IS REASONABLE GROUND TO CONCLUDE THAT IT IS BEING OPERATED UNLAWFULLY COMMA THE US ATTORNEY THERE COULD ISSUE A WARRANT IMMEDIATELY AND AS AN INCIDENT OF ACCOMPLISHING THE WARRANT THE PREMISES COULD BE SEARCHED AND ANY CONTRABAND SEIZED PERIOD WILL TELEPHONE OR RADIO THE ACTUAL FINAL TEXT OF THE REGULATIONS TO YOU UPON PROMULGATION PERIOD

ULLION
THE PROVOST MARSHAL GENERAL

For the Provost Marshal General

Karl R. Bendetsen
Major J A G D
Chief, Aliens Division

DECLASSIFIED
DOD Dir. 5200.9, Sept 27, 1958
NARS by date 6/14/74

RADIOGRAM

014.31
X386.5-A-C

NUMBER	TIME FILED	CHECK

SEND THE FOLLOWING (RADIOGRAM: (RUSH Rush
((PRIORITY ~~PRIORITY~~
(T~~XXXXXXXX~~ (ROUTINE

HEADQUARTERS WESTERN DEFENSE COMMAND AND FOURTH ARMY
PRESIDIO OF SAN FRANCISCO, CALIF.

December 26, 1941

COMMANDING GENERAL
FIELD FORCES GHQ
ARMY WAR COLLEGE
WASHINGTON D C

IN REPLY CITE CG REFERENCE YOUR RADIO DECEMBER TWENTY FIVE ADVISING THAT ATTORNEY GENERAL IS CONSIDERING DRAFT OF NECESSARY REGULATIONS UNDER PRESIDENTIAL PROCLAMATION DECEMBER SEVENTH STOP CANNOT OVEREMPHASIZE URGENCY FOR IMMEDIATE PROMULGATION THESE REGULATIONS STOP CONFISCATION OF ARMS RADIOS CAMERAS AND SO FORTH MUST NOT BE DELAYED LONGER STOP TOO MUCH TIME HAS ALREADY ELAPSED SINCE PROCLAMATION ISSUED STOP REQUEST SECRETARY WAR AGAIN IMPRESS ATTORNEY GENERAL THAT FURTHER DELAY PROLONGS DANGEROUS SITUATION STOP REQUEST ESSENTIAL PARTS OF REGULATIONS BE SENT THIS HEADQUARTERS BY RADIO AND THAT ATTORNEY GENERALS OFFICE ALSO INFORM FBI SAME EFFECT SO THAT ACTION TO CONFISCATE MAY BE INITIATED WITHIN NEXT TWENTY FOUR HOURS

DEWITT
COMMANDING WDC AND FOURTH ARMY

OFFICIAL:

E. T. ADLER
1st Lieut., A.G.D.,
Asst. Adjutant General.

RECEIVED
ORDER SEC ARMY BY TAG PER
HQ. WESTERN DEFENSE COMMAND AND FOURTH ARMY
DEC 26 1941

JLD/tgb

201

2

December 28, 1941.

Report of Telephone Conversation - Major Bendetsen-Mr. Ennis, ~~State~~ Dept.
10:45 A.M. - 12/28/41.

Mr. Ennis advised that regulations regarding radios and cameras had gone out from the Atty. Gen. to the U.S. Attorneys in the 9th Corps Area states over the wire and teletype by 5:00 p.m. EST. The U.S. Attorneys will disseminate information to local police and FBI.

The Attorney General requested Mr. Ennis to contact Major Bendetsen regarding possibility of delay in sending regulations to rest of the U.S. Would like to take advantage of experience gained on West Coast. He does not think the information could be distributed by December 31, 1941. Would like to have regulations printed here in Washington and distributed to the FBI before they set dead-line on the rest of U.S.

New York will present a special problem because of congestion and large alien population.

Major Bendetsen advised that in view of notice to the balance of the country resulting from the action taken in the 9th C.A., some alien enemies might take advantage of the grace period to secret such contraband and stressed the need for immediate action. Major Bendetsen stated that he recognized the magnitude of the problems. To Mr. Ennis' suggestion that the dead-line be set for January 5, 1942, Major Bendetsen urged that they shoot for a dead-line of January 2nd.

Major Bendetsen reemphasized the urgent need for an immediate and thorough enemy alien registration. Mr. Ennis stated that they were considering a suggestion already submitted to them by Major Bendetsen (on December 8, 1941) and that they had concluded, in principle, that it should be done but they had not yet evolved the plan. Major Bendetsen suggested that it should include fingerprinting and photographing and that the only way to accomplish such action expeditiously would be to employ local police facilities where the necessary cameras and fingerprinting facilities already exist and that a set of such cards should be retained in each police station for the aliens in the area served by it, thus forming the basis for travel restrictions on a "pass and permit basis", such system to be very similar to continental control Mr. Ennis stated that he regarded the suggestion favorably and would report progress. Mr. Ennis also agreed that early next week they would formulate regulations on the balance of the contraband items listed in the proclamations and would call for the participation of The Provost Marshal General.

COPY

UNITED STATES SENATE

December 29, 1941

Hon. Henry L. Stimson
Secretary of War
War Department
Washington, D. C.

ATTENTION: Mr. McCloy

My dear Mr. Secretary:

Will you permit me to request of the War Department that, after the necessary investigation, your representatives express their opinion and recommendations upon the duties that should be performed by Home Guard troops in California and the other Pacific Coast states. I am certain that the expert conclusions of our military on this most vital issue will be extremely valuable to our states and nation at this time.

Respectfully yours,

SHERIDAN DOWNEY

SD:ra

January 5, 1942

Dear Senator Downey:

Your letter of December 29, 1941, addressed to the Secretary of War and requesting an expression of opinion and recommendations upon duties which should be performed by the State Guard troops in California and other Pacific Coast states has been brought to my attention, as you indicated for reply.

This matter has been given careful study in the War Department since our conference in my office on December 29, 1941. The War Department policy of long standing reference the duties of state forces is that the protection of life and property is a primary responsibility of the local and state governments concerned. The War Department believes that the protection of installations is a primary responsibility of operators, owners, local and state governments. It contemplates the use of Federal troops only in emergencies when the protection afforded by the responsible agencies mentioned above is deemed inadequate.

In such critical periods as we are now experiencing it is believed extremely important from the National Defense viewpoint that civil governments assume their full obligations to protect life and property. As pertains to the states, it is immaterial whether the forces used be State Guards, state police, constabularies, or other state forces, but it is vital that the protection be furnished without obstructing the training and preparations for combat now engaged in by the Army of the United States.

The War Department feels that it should continue to adhere to this policy and not charge its representatives with the responsibility of expressing opinions or recommendations to the states regarding the duties that should be performed by their State Guard troops or the strength of such troops required. It believes that such information should be determined by the state authorities of the states concerned. It is almost impossible, we find, for General DeWitt to institute a survey

of the entire state's needs for guarding local property on account of the absorption of his time in the tactical defenses of the entire coast. On the other hand, there are many California State officers and National Guardsmen who are not now on Federal service who are perhaps as familiar with the State and its vital installations as most of the Army officers now on duty in that area, and who are therefore well qualified to determine the overall state requirements. For this reason, it is suggested that consideration might be given to the utilization of advice and assistance of state officials on the ground, or other citizens who have had military experience.

Since the War Department contemplates the use of Federal troops for the protection of installations only in emergencies when the protection afforded by state forces is inadequate, the determination as to the need for Federal troops must be left largely to the military commander on the ground. The Commanding General, Western Defense Command, who is responsible for the employment of Federal troops in the states in question and who is authorized to cooperate with state authorities in such matters in accordance with War Department policies, is in the best position to furnish information as to installations to be protected by Federal troops under his command. It is, therefore, suggested that the state authorities concerned consult General DeWitt, and he will be prepared, I am quite certain, to furnish information as to the installations he intends to guard and is prepared to guard. This should enable the state officers to determine quite adequately the number of state troops which will be necessary for the state to raise.

Sincerely,

(SIGNED) JOHN J. McCLOY

JOHN J. McCLOY
Assistant Secretary of War

The Honorable
Sheridan Downey
United States Senate

Orig. mailed 1/6/42 by OASW
Copies dispatched by G-4 (Col. Stadtman)

CASW
JJMcC:mw

WEST COAST

~~SECRET~~

WAR DEPARTMENT

OFFICE OF THE PROVOST MARSHAL GENERAL

WASHINGTON

December 30, 1941.

MEMORANDUM to The Adjutant General.

Subject: Radiogram.

Please transmit the following SECRET radiogram:

COMMANDING GENERAL
WESTERN DEFENSE COMMAND
PRESIDIO OF SAN FRANCISCO, CALIFORNIA.

DEC 30 1941

THE PROVOST MARSHAL GENERAL STATES THAT THE ATTORNEY GENERAL HAS AUTHORIZED THE ISSUANCE OF WARRANTS FOR SEARCH AND ARREST IN ANY HOUSE WHERE AN ALIEN ENEMY LIVES UPON REPRESENTATION BY ANY FBI AGENT THAT THERE IS PROBABLY CAUSE TO BELIEVE THAT THERE IS CONTRABAND ON THE PREMISES STOP MAJOR BENDETSON OF PMGO LEFT HERE BY PLANE AT SEVEN THIRTY TONIGHT FOR SAN FRANCISCO VIA LOS ANGELES

160

ACTION TAKEN: 12/30/41,
by radio to CG WDC.
BJS - 1712.

ADAMS

I certify that the above message is official and is necessary in the Government Service.

Archer L. Lerch

Archer L. Lerch,
Lieutenant Colonel, J.A.G.D.
The Deputy Provost Marshal General.

47 AGO
DEC 30 1941
Received

FILE JAN 30 1942

REGRADED
ORDER SEC ARMY
BY TAG ~~SECRET~~
9 H 5

CONFIDENTIAL

30

December 30, 1941.

014.31
×383.4-60

FBI, San Francisco (Kennedy) G-2, MID and AA(CI Br) (Lt. Col. Forney) 7:45 p.m. ×044

Mr. Kennedy read a long teletype from the FBI Headquarters in Washington. The gist of it is as follows:

> United States Attorneys will issue warrants over their own signature on application from the FBI, to search and seize prohibited radios and cameras on premises owned or controlled by enemy aliens. The FBI will have to have probable cause to believe a violation exists. Where the aliens occupy premises not owned or controlled by them the warrant will be issued for the seizure of the alien himself and, during the act of seizing, search can be made for prohibited radios and cameras. Aliens found to be in violation will be held for detention in the usual way.

Mr. Pieper was not available for questioning and Mr. Kennedy was asked to transmit the following specific questions to him:

1. How will the FBI act in this matter? Will they wait for complaints or will they tackle the problem actively to cover the entire field of possible violations without waiting for some probable cause to be brought to their attention?

2. Request that steps be taken to determine what the reaction of the other seven Special Agents in Charge of FBI Offices in this Theatre of Operations will be to the question propounded above.

L.R.F.

REGRADED UNCLASSIFIED
SEC. 3.3(b)(1)(C) and (D) E.O. 13526
NARA, Date 7-10-08

File

CONFIDENTIAL

30

December 30, 1941.

014.31
x383.4-6

FBI, San Francisco (Kennedy) — G-2, MDC and 4A(CI Br) (Lt. Col. Forney) x044 — 7:45 p.m.

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L.R.F.

REGRADED UNCLASSIFIED
CLASS SEC CONF BY [illegible]
0808

File

3

CONFIDENTIAL

30

December 30, 1941.

014.31
x383.4-60

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L.R.F.

REGRADED UNCLASSIFIED
BY SEC. ARMY 3/
10808

File

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CONFIDENTIAL

31

December 30, 1941.

X

FBI, San Francisco (McConnell) G-2, WDC & LA (CI Br) (Lt. Col. Forney) 7:50 p.m.

Mr. McConnell stated that he had asked an opinion of the United States Attorney regarding action in case of persons taking pictures of military installations. The reply was as follows:

> It is forbidden to photograph any part of a military reservation and to photograph military equipment. He cited batteries, submarine nets and the like as examples. He stated, however, that the person taking the picture would have to be convicted of the intent to use the photograph for purposes to the detriment of the United States. He said that it might be possible to hold such persons if it could be shown that they knowingly photographed prohibited articles.

Mr. McConnell was informed that it was the opinion of this branch that the military authorities were entitled to detain such parsons until they had an opportunity to determine the nature of the pictures taken and to satisfy themselves whether or not evil intent existed.

L.R.F.

REPRODUCED UNCLASSIFIED
ORDER SEC ARMY BY TAG PER 210806

CONFIDENTIAL

December 31, 1941

X

FCC San Francisco (Mr. Greaves) G-2 DC and 4A (CI 9r) 1:30 PM
(Lt. Col. Forney)

Mr. Greaves was asked if he had answered Gen. De'itt's letter. He replied that he had not because he did not know how to answer it. He then wenton with an explanation of which the following is the gist.

He operates only a monitoring service and has only a very few men. These will cooperate as well as possible in tracing cases of radio interference and in trying to locate specific sending stations that may be reported. His entire force is now engaged in this work. He has no record of suspected illegal sets on this coast. Such records and reports are handled by an inspectorate operating out of Washington and all such records are in Washington. There probably are a large number of these records in Washington pertaining to this area but they are not immediately available to him. He has no means of knowing how many of the suspected cases in this area relate to enemy aliens. He is of the opinion that even with access to the records in Washington there would not be more than ten to twenty-five cases of reasonably probable illegal operation of radio sending sets on the entire Pacific Coast.

The impression gained from the conversation with Mr. Greaves is that he is not in position to take an extensive part in solving the problem being considered by the Commanding General. He states that he is entirely willing to give any technical assistance he can with the limited force at his disposal but that any actual seizure would have to be by other agencies.

Mr. Greaves further stated that a representative of the FCC would arrive in San Francisco on January 8, 1942 to discuss this matter.

L. R. F.

UNCLASSIFIED
UNDER SECRETARY BY TAG PER E.O. 10806

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34

December 31, 191

X

FBI San Francisco (Mr.Pieper) G-2 WDC and 4A (CI Br) 9:30 AM
(Lt. Col. Forney)

With reference to the authority granted for the FBI to secure warrants for search and seizure of radios and cameras in possession of enemy aliens, Mr. Pieper stated that he had asked for clarifying instructions regarding the matter but has not yet received them. He does not know, therefore, at this time whether he is expected to make a house to house search of alien premises or is to act only in case complaint in specific cases is made to him.

L. R. F.

ASSIFIED
ORDER SEC ARMY BY TAG PER 21 0806

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